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House of Representatives

The House met at 8 a.m.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

Make us aware, O gracious God, of the sacrifices of those who have gone before us, whose faithfulness and courage have shown the way. We pray for all those who have devoted their lives in service to others and whose own dedication has inspired us all. Bless all who have served with Your favor and may Your everlasting arms support us all the day long. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. The gentleman from Arizona [Mr. HAYWORTH] will come forward and lead the House in the Pledge of Allegiance.

Mr. HAYWORTH of Arizona led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECESS

The SPEAKER. Pursuant to the order of the House of Friday, September 29, 1995, the House will stand in recess subject to the call of the Chair.

Accordingly (at 8 o'clock and 3 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 0900

JOINT MEETING OF THE 104TH CONGRESS TO CLOSE THE COMMEMORATION OF THE 50TH ANNIVERSARY OF WORLD WAR II

During the recess the following proceedings took place in honor of the 50th anniversary of World War II, the Speaker of the House of Representatives presiding.

The Assistant to the Sergeant at Arms, Kevin Brennan, announced the Vice President of the United States and the Members of the U.S. Senate, who entered the Hall of the House of Representatives, taking the seats reserved for them.

The SPEAKER. The joint meeting to close the commemoration of the 50th anniversary of World War II will come to order.

The Assistant to the Sergeant at Arms announced the Joint Armed Forces Color Guard.

The historical colors were carried into the Chamber; the flag was carried into the Chamber by the color bearer and a guard from each of the branches of the Armed Forces.

The national anthem was presented by the U.S. Army Chorus.

The color guard saluted the Speaker, faced about, and saluted the House.

The flag was posted, and the Members and guests were seated.

The Chaplain of the U.S. House of Representatives, Rev. James David Ford, D.D., delivered the following invocation:

Let us pray. As we gather for this special occasion, O gracious God, we offer our thanksgivings as we recall the valiant deeds and historic acts of another day, a time which lives in our hearts with gratitude and praise.

O loving God, whose will it is that all people live in harmony and peace, we ask Your blessing on all those who answered the Nation's call to service so the forces of evil would be put down

and that opportunities for freedom and liberty would abound.

We especially lift up the names of those who gave their lives for others, often in places so far from home. We hold these names in high honor and reverence, for their sacrifice is etched forever in the history of our Nation. We recognize them at this time, and we join with our families in this holy memory.

We pray, O God, that as we contemplate the devotion and consecration of those who have served we will be worthy of their commitment in our stewardship of the blessings of this land. We pray, Almighty God, that the duty and honor of serving You and our country may ever enable us to take pride in our responsibilities and be faithful in all our tasks now and ever more. Amen.

The SPEAKER. It is most appropriate we hold this joint meeting of Congress to thank and honor the World War II generation who 50 years ago fought the most destructive war in history and saved the world for freedom. This morning we remember all who served our Nation, but our focus is on the World War II veteran, their families and those who served on the home front.

Many of those who served in World War II, family members of those who served as well as those who served in the home front, are our special guests this morning and at this time I think it is entirely appropriate to recognize and thank them.

First, I would like all those who have received our Nation's highest military award for valor, the Congressional Medal of Honor, to please stand and remain standing or raise your hand. [Applause.]

Next, would all World War II veterans, including our colleagues in the House and Senate who served, please stand and remain standing or raise your hand. [Applause.]

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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At this time, I would also like to extend the House's welcome and recognize the efforts of General Kicklighter, executive director of the 50th Anniversary of World War II Commemoration Committee. We are grateful for all you and your staff have done over the past 5 years to thank and honor the World War II generation.

I wonder if General Kicklighter, his staff, and the committee might rise for just a moment because they spent a number of years. [Applause.]

And last, but certainly not least, I want to thank two Members of Congress for their efforts in making this historic joint meeting a reality: Congressman FLOYD SPENCE and Senator STROM THURMOND. We thank you for your leadership and all the work you have done to make this occasion possible.

Let me just say that, on my part, I welcome all of you back, all of you who served your country. I think it is important for us to remember how real the dangers of evil are, how close we came to losing freedom, how difficult the fight was, and the great capacity of a free society to call on its young men and women to do remarkable things, if that is what it takes. And I hope that today will drive home for another generation the fact that the price of liberty is the willingness to sacrifice and the willingness to be committed and that you, for a very crucial time in the history of the human race, did all that you could to make sure that the cause of freedom would prevail.

Mr. Vice President.

Vice President GORE. Mr. Speaker, Mr. Leader, Members of Congress, members of the President's Cabinet, General Shalikashvili and members of the Joint Chiefs of Staff and all members of the Armed Services who are gathered here and, most of all, to our World War II veterans and to their families, on behalf of the U.S. Senate, I, too, welcome you.

We are gathered this morning as a grateful people and as a grateful Nation for the culmination of our country's half century commemorations for those who served in World War II. From the still cemeteries, along the hedgerows and beaches of Normandy to the streets of a new and united Berlin, to the now calm and peaceful waters of Pearl Harbor, we have honored America's heroes throughout this past year, whether it was our soldiers who were sent to faraway lands, our Americans who did their part on the home front.

Commemorations are tinged by both glory and by sadness, by memories of great feats of the human spirit and memories of painful loss.

I have had the privilege to take part in the World War II ceremonies this year, first at Arlington National Cemetery for D-day, then at the American cemetery at Mattingly, England, in Paris, and at Berlin for VE day and finally at Fort Myer for VJ day. And along with all those gathered at these commemorations I felt the mix of conflicting emotions.

On the one hand, occasions such as these are opportunities to remember the tremendous sacrifice, the lost lives of young men and women, many whose names we will never know and who we can never adequately thank, those who are remembered by simple white stones on quiet slopes across Europe and in the Pacific. We also mourn the loss of those we did know and love, friends and family. These are scars that time simply cannot heal.

But even though we grieve our loss, we also celebrate a great victory, indeed a triumph of good over evil. While we mourn those who gave their lives, we celebrate the gifts that their enormous sacrifices bequeathed to all of us: freedom, democracy, a world safe for humankind.

There is, however, another quiet truth that is woven into the fabric of our commemorations and into our experiences as a nation at war, and that truth is simple if powerful: There is nothing America cannot accomplish when we work together. When confronted with a challenge at home or on distant shores, we are at our very best when we stand as one as Americans; and that is true whether we pursue legislation in this hallowed Chamber, rebuild after a hurricane or earthquake or join hands to defeat tyranny and oppression in places like South Africa, Haiti, Bosnia, Iraq or wherever evil shows its ugly face.

What better example of America working together than the veterans and their families who sit here today, heroes like Ruth Staples and her sister, Ina. Their entire family was involved in the war effort.

Ina's husband was a tail gunner in the Army Air Corps, flying over Europe. Their brothers, James and Owen Kline, enlisted. James was in the Navy fighting in the Pacific; and Owen, deceased just a few years ago, was a paratrooper in the 82d Airborne. And Ruth, along with her sister Edna, now deceased, did her part going to work in the rail yard in Brunswick, MD, right after graduating from high school.

Also here today are two Gold Star children, Prof. Ann Jennalie Cook and her sister Margaret Sue Cook. They were in grade school living in Oklahoma with their mother and younger brother, David, when they received a note from their father. Right before he took part in the Normandy invasion, he wrote, I am so proud of both my daughters and think you are the finest girls in the world.

Sergeant Cook would not see his daughters again. He died 6 days after D-day on June 12, 1944. But I know if he could be here today he would be just as proud to see his children and grandchildren growing strong in a world that is safe and free.

And I also know that Sergeant Cook's daughters, along with all of us, are just as proud of him, of his service and his sacrifice to keep America strong and out of harm's way; and we are no less grateful today, 50 years

later, than we were on the day when victory was won.

And there is one final group that deserves special recognition today, those who served America during war and then came back home, rolled up their sleeves and served America during peace in this great building, in this wonderful Capital City, as Members of the U.S. Congress, redeeming the promise of self-governing—patriots like Representative HENRY HYDE and Senators DANIEL INOUE, STROM THURMOND, and BOB DOLE. They answer the call to duty every day and every hour by serving the American people, reaching across party lines to work together, united as Americans, assuring our land and our citizens will be secure in a world that is free, building opportunity for all.

So, today, let all of these examples, whether sisters in Maryland, children in a family in Oklahoma, or Members of Congress from all across this great land, that the examples of these brave men and women be an inspiration to all of us. Let us remember the noble purpose which animated their efforts a half century ago and in that spirit let us continue to work together to create a world where peace, prosperity, and happiness for all are not goals for tomorrow but the realities we enjoy today.

The SPEAKER. Representative HENRY J. HYDE enlisted in the U.S. Navy on Veterans Day, November 11, 1942, and was commissioned an ensign in the U.S. Navy Reserve in October 1944. He served in the South Pacific, New Guinea, and the Philippines. He continued his military career in the Naval Reserves until 1968, retiring with the rank of commander.

The Chair recognizes the Honorable HENRY J. HYDE, Representative from the State of Illinois and chairman of the Committee on the Judiciary.

Mr. HYDE. Mr. Speaker, Mr. President, we are met today to pay tribute to the millions of Americans who, in the face of tyranny and aggression, answered "yes" when their country called.

To serve one's nation is always an ennobling experience. That is especially true when that service and the sacrifice it entails is performed in the context of a great struggle for freedom. And that, my friends, is precisely what World War II was: A great struggle for freedom, on whose outcome hung the fate of liberty and justice and decency in the world.

The years, now over 50, have had their way with us. We are fewer and grayer and slower, but the words of Lord Tennyson were never more appropriate:

Tho' much is taken, much abides; and tho'
We are not now of that strength which in old days
Moved earth and heaven; that which we are,
we are;
One equal temper of heroic hearts,
Made weak by time and fate, but strong in will
To strive, to seek, to find, and not to yield.

When you visit the Vietnam Memorial, those 58,196 names overwhelming; but a World War II memorial would contain 291,557 names of U.S. military killed in action. And add to that our war dead in Korea and the First World War and this century, mercifully coming to a close becomes, the bloodiest century in all history.

We own an unpayable debt to those heroes of freedom whose gift of self, embodied in the performance of their duty, now rest in cemeteries in Normandy and throughout the islands of the Pacific. We commend their eternal souls to the mercy of God, in whose kingdom every tear will be wiped away.

But if we cannot repay the debt we owe our beloved dead, we may at least discharge some portion of it by being better citizens and neighbors ourselves. We may honor their sacrifice by building the kind of America they fought and died for, a land of liberty and justice for all, a decent and tolerant society, a community of civic friendship, a leader in freedom's cause in the world.

Every war produces its heroes, not all of them acknowledged. One of my heroes is Congressman BOB STUMP of Arizona who, at barely 16 years of age, exaggerated his age so he could enlist in the Navy. We both participated in the invasion of Luzon in the Philippines, January 9, 1945; but we never knew each other back then.

Another hero of mine lies buried in a cemetery at Normandy. In June 1994, as a Scottish bagpipe band played the piercing mournful strains of "Amazing Grace," I walked up to a white cross to read his name, but there was no name, just the words: "Here lies, in honored glory, a comrade in arms—known but to God."

Sacred scripture tells us there is a time for weeping. Pope John Paul II told us last week that:

We shall see that the tears of this century have prepared the ground for a new springtime of the human spirit.

And so today, 50 years later, rather than mourn our Nation's war dead, let us thank God that such men lived.

Vice President GORE. Senator DANIEL K. INOUE entered the U.S. Army 1 year after the attack on Pearl Harbor, joining the legendary 442d Regimental Combat Team, a unit comprised solely of Japanese-Americans. He fought in Italy and France, gaining a battlefield commission to second lieutenant. He was gravely injured on April 21, 1945, when he lost his right arm to a rifle grenade. He won numerous awards for his service, rising to the rank of captain before being discharged in 1947.

It is an honor to recognize for remarks the Honorable DANIEL K. INOUE, Senator from the State of Hawaii and ranking minority member of the Committee on Indian Affairs. Senator INOUE.

Mr. INOUE. Mr. Speaker, Mr. President and my fellow Americans, during the past 4 years, Americans have gathered in cities and towns and villages throughout this land and in strange

places with strange names like Guadalcanal, Iwo Jima, Anzio, Normandy, Guam, and in many other places to honor the 299,131 American men and women who stood in harm's way and gave their lives on our behalf. Thousands upon thousands of our fellow citizens participated in parades and festivities, and many inspiring speeches were heard.

As a veteran of that war, I am grateful to America for the many honors bestowed upon our fallen comrades; but, most respectfully, I feel that these glorious parades and inspiring speeches may have missed the real essence of why we were victorious, what made us win.

I remember the thousands upon thousands of schoolchildren scouring the countryside looking for scrap metal, tons of scrap metal that found its way to the front lines as bullets and bombs.

I remember the many thousands of victory gardens in every village, hamlet and town, gardens that produced over one-third of all the vegetables that we Americans consumed during that war.

I remember the long lines of citizens to give blood and to buy war bonds.

I remember the 866 American ships, merchant ships, that were sunk by submarines, carrying our cargo and the nearly 7,000 American seamen who rest at the bottom of the sea.

I remember those gallant ladies, wives and sweethearts who rolled up their sleeves and took over the places of their loved ones at the assembly lines and took over the tractors and the farms until the men returned. And I recall that, at that moment, the productivity of our Nation rose by over 25 percent in less than a month. The record shows that these sweethearts of America helped to build over 60,000 tanks, over 120,000 ships and over 300,000 aircraft.

And I recall that in the early days of this war, when the days were the darkest, more than 6 million men and women, our fellow citizens, volunteered. High among this list of volunteers were Native Americans, our first citizens, the Indians, who volunteered in larger numbers per capita than any other group.

Something happened to America at that time. I am not wise enough to know what it was, but it was the strange, strange power that our Founding Fathers experienced in those early uncertain days. Let's call it the spirit of America, a spirit that united and galvanized our people. We were ready for any challenge, any obstacle.

My fellow Americans, today the obstacles and challenges are many, but I ask where is that spirit? Eight days ago, a verdict was announced in a Los Angeles courtroom, and experts throughout this land sadly suggested that our land was divided. All of us know that, or at least we should know that, that our land is dangerously divided and dangerously polarized.

What are we, the elected voices of America, doing? Sadly, what most

Americans hear are the sounds of dissonance, discord and division on Capitol Hill. Instead of the great and grand voice of reason, they hear angry shouts. They see party leaders congratulating themselves on party line votes in the Congress. Americans need not go to Los Angeles to see division. They can just watch the Congress.

If we are to appropriately remember and honor those 299,131 men and women who gave their lives in the defense of freedom and in that great war, let us begin by discarding those sounds of division. Let us begin by demonstrating that we are capable of calm and resolute leadership. Let us begin the process of restoring that spirit of America that blessed us at the time of our Revolution and the Great War. We can do no less.

The SPEAKER. The U.S. Army Chorus and the U.S. Coast Guard Band will now present "Songs of the GI."

The U.S. Army Chorus and the U.S. Coast Guard Band presented "Songs of the GI." [Applause.]

The SPEAKER. Representative G.V. "SONNY" MONTGOMERY is one of the veterans' best friends. He entered World War II as an enlisted person, was awarded the Bronze Star for valor, earned three Battle Stars and attained the rank of captain by the end of the war. He was recently awarded the Department of Defense Medal for Distinguished Public Service by Secretary Perry because of the success of the Montgomery GI bill in recruiting, retention and readjustment to civilian life.

The Chair recognizes and wishes also to take a moment to express his personal feelings that we will all miss you upon your retirement next year and hopes that all will recognize the Honorable SONNY MONTGOMERY, representative from the state of Mississippi and ranking minority member of the Committee on Veterans' Affairs.

Mr. MONTGOMERY. Thank you very much. Maybe, Mr. Speaker, I should reconsider.

Mr. Speaker and Mr. Vice President, my appreciation to the minority leader for giving me this opportunity to honor World War II veterans, their families and those who paid the supreme sacrifice.

When we think of World War II, we also must think of those who were on the home front. They gave us the planes, the guns, the ships and the tanks to win the war. As mentioned, I was a combat veteran of World War II, and I saw the guns and tanks improve as new equipment came to our armored division, and we finally got tank guns better than the Germans.

There are 24 World War II veterans in the House today and 20 in the Senate. Our numbers have dropped off over the years. Thirty years ago, 55 percent of the Members were World War II veterans.

As bad as World War II was, some good things came out of it. The GI bill is an example. It was sponsored by the

American Legion and passed by this Congress in 1944. This bill gave returning veterans educational benefits, homes to live in, priority on Federal jobs and good medical care.

After the war, we realized the United States had been an isolated nation. Most Americans did not even have a high school education. The GI bill helped changed all of that, and some historians say this bill might be the most important legislation passed in this century.

The key point I want to make this morning is aimed at our young people: Freedom and democracy don't come without a price. More than half of the people living in America today were born after World War II. They need to know the great sacrifices that were made to preserve the freedom we all enjoy.

In 1994 and 1995, Congressman BOB STUMP and I led House delegations to Europe and then to the Pacific to celebrate the 50th anniversary of the war's end. In visiting the American cemeteries in Europe and the Punch bowl in Honolulu—HENRY HYDE touched on this—I was greatly moved as I walked among the crosses and Stars of David of young Americans who had lost their life. Most were only 18, 19 years old. Some of the markers read, "This man is known only to God."

These 18- and 19-year-olds answered the call of their country and should never be forgotten.

In Washington, thanks to Congresswoman MARCY KAPTUR and others, a World War II memorial will be built on The Mall near the Vietnam and Korean memorials. The site has been approved and design and fund-raising are in progress. It will take at least 5 to 7 years to complete the project. This memorial is important, but it does not discharge the debt we owe to those who served.

Many veterans across the country were in Honolulu in August celebrating VJ day. A Honolulu newspaper headline read:

The old World War II boys and girls are in town for their last hurrah, so let's let them have a good time.

Maybe this is our last hoorah, but the newspaper should have also have said, these citizen-soldiers from small towns and big cities were with us when we needed a win.

I close with a comment that former President George Bush made on Pearl Harbor Day in 1991. He said:

The lessons of World War II will live on and well they should: preparedness, strength, decency and honor, courage, sacrifice, the willingness to fight and even die for one's country.

The commitment to duty, honor and country was strong among those who served in World War II. Today, we might be a little bent over, slightly overweight and we walk with a limp, but our heads are high with the pride of serving this great country.

God bless these wonderful veterans, wherever they are. Thank you.

Vice President GORE. Senator STROM THURMOND began his military career on January 9, 1924, when he was commissioned a second lieutenant in the U.S. Army Reserves. He entered active service in 1942 and was assigned to the 82d Airborne Division, parachuting into Normandy, France, on June 5, 1944. He was awarded five Battle Stars, 18 decorations and numerous medals and awards. He continued his military service in the Army Reserves rising to the rank of major general.

The Chair recognizes the Honorable STROM THURMOND, Senator from the State of South Carolina, President pro tempore of the Senate and chairman of the Committee on Armed Services. Senator THURMOND. [Applause].

Mr. THURMOND. Mr. Speaker, Mr. President, it is an honor for me to address this joint meeting of Congress to commemorate the 50th anniversary of the end of the second World War; and it is my privilege to cochair this event with my able and distinguished colleague from South Carolina, Congressman FLOYD SPENCE.

It is appropriate that we commemorate the end of the war, for it is truly a defining moment in our history. It is also fitting that we honor the memory of those who supported the war effort, those who served and particularly those who fell.

Many individuals worked unselfishly and to the limit of their ability to achieve the victory. Many contributed their best efforts to provide our soldiers, sailors, airmen, marines, Coast Guardsmen and merchant mariners with the means they needed to prevail. Many served in uniform and placed their lives at risk and many paid the ultimate price.

We pause today to remember these sacrifices because each one was an essential component of our overall success and, without them, our world today would be a very different place. We pause to express our formal appreciation of those who placed the value of liberty and the future of our civilization above their own personal safety and comfort. Our hearts go out once again to the parents and loved ones whose loss has been so great.

This is also a day to recall the bravery of individuals who were decorated and particularly those who were awarded the Medal of Honor. In the Chamber today are three veterans who were awarded the Nation's highest honor whom I would like to recognize:

Col. Charles Murray, who personally attacked an enemy position of more than 200 soldiers, then led the platoon to capture their objective and despite serious wounds refused medical attention until his men were deployed for a counterattack.

Capt. Maurice Britt, who endured multiple grenade and bullet wounds in an intense firefight but refused medical attention and led a small group of his men in repelling a very strong enemy attack.

And Rear Adm. Eugene Fluckey, who entered a harbor containing more than

30 enemy ships while commanding the submarine U.S.S. *Barb*. He destroyed six of the enemy ships, escaped the harbor with his boat and crew, and sank another ship 4 days later.

I am proud to recognize these fine Americans who are with us today.

The event we commemorate today is in sympathy of the military victory of the allies over the Axis powers. The end of the Second World War means much more than that. It signifies the end of a period of tyranny of a magnitude and scale previously unknown in the world. The images of combat in this war are horrible, as are those of the concentration camps, the senseless murders of civilians and the mistreatment of prisoners of war.

Today, we commemorate the end of an event that continues to serve as a warning to aspiring dictators that men will bear any hardship to secure their ultimate freedom. This event is also a powerful symbol and indicator of what good people working together in a just and righteous cause are capable of achieving. It also serves to remind free men that freedom is not free and that freedom is always worth the price.

There is a panel inside the rotunda of our U.S. Capitol depicting freedom in the form of a woman with her soul upraised chasing away a figure depicting tyranny. That sentiment, expressed by the artist Bernini 150 years ago, is the same heartfelt sentiment of our Founding Fathers, of those who sacrificed in the Second World War and of those of us here today.

Let us dedicate ourselves to a future anchored on that sentiment and worthy of these sacrifices.

Mr. Speaker and Mr. President, I thank you for this opportunity to honor our veterans, their families and also those who served on the home front. God bless our veterans and God bless this great country for which they fought.

The SPEAKER. It is an honor for me to introduce our next speaker. He is a distinguished World War II veteran who was awarded the Medal of Honor for his uncommon valor, leadership and inspiration during the bloody battle of Guam in July 1944.

During that battle, Marine Capt. Louis H. Wilson commanded his company through some of the Pacific war's most vicious combat. During several continuous days of battle, he led his men, spearheading attacks and repelling enemy counterattacks.

He was wounded three times, yet denied first aid for himself until he saw to the needs of his men. For his heroic actions on Guam, he was awarded the Medal of Honor. He went on to become the 26th Commandant of the U.S. Marine Corps.

The Chair recognizes Gen. Louis H. Wilson, U.S. Marine Corps retired, an esteemed World War II veteran Medal of Honor recipient and former Commandant of the Marine Corps.

General WILSON. Thank you, Mr. Speaker, Vice President, ladies and

gentlemen of the Senate and the House of Representatives and distinguished guests.

Today, I stand before you representing over 17 million American men and women who served our Nation in the Army, the Navy, the Marine Corps, the Coast Guard and the Merchant Marines during World War II. The war engulfed the world and shook our country. Americans from all walks of life and from every State and territory in our Union joined in the struggle that ultimately saved the very concept of freedom and democracy.

Today, we begin to close the commemoration of a victory 50 years ago. That victory is not without an incredible toll in lives and effort by those individuals in the Armed Forces that won that war and the families who sacrificed so much.

These young Americans of five decades ago were plunged into a war which had a scope and intensity hardly conceivable today. They did not seek or expect the war which descended upon them, yet these ordinary citizens rose brilliantly and selflessly, leaving homes and families in answer to their country's cause. They joined in a united effort and relentless struggle to defend liberty and did so on land, in the air, on and under the sea, in tropic heat and arctic cold, in rain forests, mountains, deserts around the globe.

During the 4 years of this war, they suffered torment, disease, and near starvation. They lost their youth, their health, and, far too many, their lives. More than 290,000 Americans gave their lives, over 670,000 were wounded and more than 105,000 suffered as prisoners of war.

Our victory changed this Nation forever. It transformed the generation which had grown up in despair of economic depression. It accelerated the movement toward true equality for all, which continues to this day. Most important of all, it brought hope and belief in the future, opening the way for the most prosperous economy in the history of mankind and powering an unprecedented advance of science and technology. None of this could have occurred without the men and women of a half century ago who fought for our country's freedom, and, as you have heard, some of whom are in this very room today.

The marvelous world which we have today and the wonders of the age which we now enjoy were made possible by the noble sacrifices of each of those who fought against tyranny and oppression. As the half century anniversary of the end of World War II draws to a close, we mark a significant milestone in our Nation's history and in our goal for a better life, a better life not just for Americans but for all peoples of the world.

The end of the World War II was the beginning of a new era. It brought the light of freedom to millions who had known only the bonds of colonial servitude. It brought a belief in the com-

mon interest of all nations in the preservation of peace and prosperity. In the intervening 50 years, the lives of almost everyone here and in the world has been enhanced beyond comparison.

And as we pass the torch to future generations we are confident that America remains ready for the challenges to come. I am certain that our Nation today has the same caliber of patriots as those who brought us victory in World War II. And when our country is called upon to rise again to an equally difficult task, let us pray that it is served by men and women such as those who served 50 years ago. If so, our Nation will be well served indeed. [Applause.]

The SPEAKER. The Honorable Robert H. Michel, former Republican leader of the House of Representatives, was elected to the 85th Congress and for 36 years served the constituents of Peoria, IL, with great distinction until his retirement at the end of the 103d Congress.

During World War II, he also served with great distinction. He was a combat infantryman in England, France, Belgium, and Germany. Having been wounded by machinegun fire, he was discharged as a disabled veteran after being awarded the Bronze Star, Purple Heart, and four battle stars.

At this time, the Honorable Robert H. Michel will lead the U.S. Army Chorus in singing "God Bless America."

Mr. MICHEL. Mr. Speaker, and Mr. President, distinguished members of the military, my colleagues, and ladies and gentleman, I am deeply honored that you should call me out of retirement to lead the singing of "God Bless America." But before doing so, let me take just a moment.

I have always been very proud of the fact that I was privileged to serve my country for better than 40 years, both in the military and in this Congress. And it seems to me that those of us outside of Government, outside of the military, owe the utmost of respect to both the military and to our three coordinate branches of Government that represent civil authority.

And, you know, we really ought to be proud of our country, if for no other reason than in the last few years the majority of emerging democracies are opting for our system of government. That ought to make us all mighty proud, whether we are in the military, whether we are in the civilian authority.

So, for me, I thought what a privilege and a pleasure to be asked back to lead you all with our good friends from the Army Chorus, the U.S. Coast Guard Band and join this old soldier in singing "Gold Bless America."

The United States Army Chorus rendered "Gold Bless America." [Applause.]

Vice President GORE. Senator ROBERT DOLE enlisted in the United States Army in 1943 and served as a first lieutenant with the Tenth Mountain Division in Italy. He was gravely wounded

during the battle of Mount Belvedere, north of Florence, and was twice decorated for valor. His decorations include two Purple Hearts and a Bronze Star with oakleaf cluster. He was discharged with the rank of captain.

After helping the veterans gathered here and others to win World War II, he continued a personal battle against the injuries sustained in service to this country. Anyone who knows the story of BOB DOLE's victory and that personal battle knows something about true courage.

The Chair recognizes the Honorable ROBERT DOLE, the majority leader of the Senate and Senator from the State of Kansas.

Mr. DOLE. Mr. Speaker, Mr. President, my House and Senate colleagues and fellow veterans, and I know there are many here today and many in the gallery, men and women:

I might add, as I have been sitting there listening to other speakers, you think about a lot of things. I thought about Percy Jones General Hospital, where DAN INOUE was the best bridge player in the hospital. He played all night long and all day.

I remember Col. Philip Hart. The Hart Building is named after Colonel Hart. We were on the same ward together. I was a second lieutenant; he was a colonel. He was out running errands for me. I couldn't believe it, but it happened.

You think about your best friends who didn't come back. You think about a lot of things. And then you think about what Oliver Wendell Holmes said. He said, "In our youth, our hearts were touched by fire."

I think the same is true for my generation. Our hearts were also touched by fire as we united from the front line to the factory line to save the world for democracy.

And I know I speak again for all veterans here today, men and women, in saying that we consider ourselves fortunate that we returned home after the war and today, like every day, we should remember those courageous Americans who made the ultimate sacrifice for their country.

Americans like 23-year-old Lt. William Ford, Jr., who lost his life in an Air Force training mission on October 1, 1943; and Americans like his 21-year-old brother, Sgt. John Ford, who was killed less than 2 weeks after William when his aircraft was shot down over New Guinea 52 years ago tomorrow.

And with us on the House floor this morning is William and John Ford's mother, Mrs. Anastasia Ford. Mrs. Ford, would you please stand?

To you, Mrs. Ford, and to all those loved ones who gave their life for their country, America offers our respect and our appreciation and our enduring prayers. And you also have our promise that the best way, indeed the only way, to honor the memory of David and John Ford is to ensure the survival of the ideals for which they fought and died.

That was the message delivered from this podium just over 50 years ago when my hero, Dwight Eisenhower, addressed the House of Representatives. We are honored that his son, John, is here today.

John, we are honored to have you here. Please stand, John.

And General Eisenhower came that day to thank the 3 million American soldiers who had served under his command and to express our thanks for the support we had received from the home front. And he spoke for the ages when he said that, and I quote, "There is no doubt that our people's spirit of determination will continue to fire this nation through ordeals yet to come."

And one of the great lessons of this century and the legacy of an entire generation is that Ike was right. America has faced many ordeals in the past half century, and the spirit of determination of the American people fired our country through all of them.

So as we remember and pay tribute to the last 50 years, we must look ahead to the next 50 years, particularly Senator THURMOND, to the ordeals we face now and those yet to come: Ordeals like the budget deficit that threatens our children's tomorrow and the scourge of drugs that threaten their today.

In looking forward, it should become clear to my generation and to all generations that our work is not yet finished and our mission is not yet complete.

So as we leave this Chamber today let this Congress and the American people resolve to face our ordeals and tackle our problems with the same spirit of determination, the same courage and the same unwavering belief in the rightness of our mission that we displayed 50 years ago when our hearts were touched by fire and when America saved the world.

The SPEAKER. The benediction will be given by the Reverend Lloyd John Ogilvie, Chaplain of the U.S. Senate.

The Chaplain of the Senate, the Reverend Lloyd John Ogilvie, offered the following benediction:

Verses from the 46th Psalm provide an appropriate conclusion to this ceremony.

The Lord of Hosts is with us. Come behold the works of the Lord for He makes wars to cease. Be still and know that I am God. I will be exalted in the Earth. I will be exalted among the Nations.

Let us pray. O Lord God of hosts, be with us yet lest we forget, lest we forget. As we conclude this period of national celebration of the end of World War II, keep us mindful that it was because of Your intervention that we were able to break the back of tyranny. May we never forget the supreme sacrifice of so many to accomplish so much to liberate humankind from the evil grip of a brutal enemy.

And, Lord, sharpen our memories of what can be done when we trust You completely and work together in unity in a cause of patriotism that demands

our utmost for Your ultimate purpose for our Nation. May our greater loyalty to You and what is best for our Nation overcome our secondary party spirit that often divides us.

Lord, bring us together as we claim Your supernatural wisdom in solving the problems that confront us and Your strength and courage for grasping the full potential of Your destiny for our great Nation. In Your victorious name, O Jehovah shalom, the only source of lasting peace, who calls us to be peacemakers together. Amen.

The SPEAKER. Members and guests will stand for the retirement of the colors.

The colors were retired from the Chamber.

The SPEAKER. At this time, the Members of the Senate will retire.

The Members of the Senate retired from the Chamber.

The SPEAKER. The purpose for the joint meeting having been fulfilled, the joint meeting is concluded. The House will continue in recess until approximately 11 a.m.

The honored guests retired from the Chamber, at 10 o'clock and 16 minutes a.m. The proceedings to close the Commemoration of the 50th Anniversary of World War II were concluded.

□ 1101

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore [Mr. SHAYS] at 11 a.m.

PRINTING OF PROCEEDINGS HAD DURING RECESS

Mr. KNOLLENBERG. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the CONGRESSIONAL RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

50TH ANNIVERSARY OF WORLD WAR II

(Mrs. FOWLER asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. FOWLER. Mr. Speaker, like many Americans, I have taken a great deal of interest in the events commemorating the 50th anniversary of World War II. Particularly fascinating to me have been the reminiscences of veterans and civilians who came through the great struggle and lived to tell the tale. Their stories illustrate both the huge scope of the conflict and the personal toll it exacted on individuals and families.

More than 16 million Americans, including my father served in the U.S. Armed Forces during the war. Of those, more than 400,000 lost their lives, and thousands more were grievously injured. Others were separated from their families for years, fighting in far-off lands or holding on to the hope in dreary POW camps.

In peacetime, it is all too easy to forget the courage and commitment of these Americans, and the heavy price they paid for our freedom. It is also easy to take for granted the important work our men and women in uniform still do every day.

This commemoration has served as an important reminder of these things. One of the greatest tributes our Nation can pay to those who gave so much is to maintain a strong national defense—both to protect what they bought at such a great cost, and to ensure that no lives are lost in the future because we were caught unprepared.

Albert Pike once said that what we do for ourselves dies with us, but what we do for others remain and is immortal. As this commemoration ends, let us all remember the immortal contributions of those who offered up everything they had so that we might live in the sunshine of freedom. And let us renew our commitment to maintain that precious gift so that their sacrifice will not have been in vain.

THE 50TH ANNIVERSARY OF END OF WORLD WAR II

(Mr. STUMP asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. STUMP. Mr. Speaker, I am proud to be one of 21 current Members of the House of Representatives being honored for military service during World War II.

We, along with the millions of other young men and women who served our country in uniform during that war, strongly believed we were each doing our part for America.

We all served together, side by side. One people, one war, one commitment, and one objective—to restore the peace and the freedom to those overwhelmed by tyranny.

Mr. Speaker, Americans of all religions, of all races, and of diverse political philosophies, came together on the battlefield and on the homefront, helping to extinguish the flames of oppression and the evil that infected mankind throughout the world. America provided a beacon of hope in a dark sea of despair.

On our road to victory in World War II, the names of the battles and the campaigns are engraved in the annals of war and history. The blood of thousands of brave young Americans consecrate innumerable battlefields around the world: Pearl Harbor, Bataan, Coral Sea, Corregidor, Midway, Guadalcanal, North Africa, Sicily, Solerno, Anzio, Tarawa, Monte Cassino, Normandy, Saipan, The Philippine Sea, Peleliu, Leyte, Luzon, the Bulge, Iwo Jima, and Okinawa.

Mr. Speaker, although that war brought out the frenzied depravity in man—the Holocaust, Manzanar and other Japanese relocation camps, racial segregation, ethnic cleansing, criminal mistreatment of allied POW's, and the destruction of more than 55 million men and women, certain historic events symbolized the benevolence of Americans as well. The Red Cross, the Homeguard, Gold Star Mothers and Wives, War Bonds, care packages, and the reconstruction of Germany and Japan.

The Commemoration of the 50th Anniversary of World War II will end with a closing week of ceremonies in November. Although, this event will mark the official end of commemorations, we must never forget to honor those brave men and women who served in the war that changed our future.

Mr. Speaker, this generation of Americans had a rendezvous with destiny. Fifty years ago last month, General MacArthur stood upon the deck of the U.S.S. *Missouri*, in Tokyo Bay, to receive the unconditional surrender of the Empire of Japan. In MacArthur's closing remarks, he spoke directly to the mothers, the fathers, the wives, and the sweethearts of those men and women back home.

And so my fellow countrymen, today I report to you that your sons and daughters have served you well and faithfully . . . their spiritual strength and power has brought us through to victory. They are homeward bound—take care of them.

Mr. Speaker, I would say to my fellow Americans, to take care of them as well. I speak to the spouses, the children, the grandchildren, and the friends of those brave patriots who served this country in war. Please continue to care for them. They deserve it, and they have earned it.

In the 50 years since they have returned home, they have faithfully served this country with dignity, and with strengthened character. They have all helped to create the single greatest country on the face of the earth, and have altered, for the better, the future of mankind, both at home and abroad.

Mr. Speaker, for those who are no longer with us, there are no words to adequately describe the supreme sacrifice each has made in the service of their country.

But words in the context of why we honor their memory, pale in comparison to the ultimate deed that these brave Americans have done for us now living in a free world. We must all sustain the memories of their heroism and their service with respect, with reverence, and with our heartfelt affection.

Our humble words can never repay the debt that we owe these great men and women, yet, we can strive to keep their faith and to uphold their vision which led them into battle and to their final sacrifice.

Mr. Speaker, we are, after all, the caretakers of their memory.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 94. Concurrent resolution authorizing the use of the rotunda of the Capitol for a dedication ceremony incident to the placement of a bust of Raoul Wallenberg in the Capitol.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair announces that we will have fifteen 1-minute speeches on each side.

MEDICARE REFORM A SMALL BUSINESS PRIORITY

(Mrs. KELLY asked and was given permission to address the House for 1 minute.)

Mrs. KELLY. Mr. Speaker, I rise this morning to mention one of the other reasons we must reform Medicare—our Nation's small businesses.

It is conservatively estimated that employer costs will rise by more than 125 percent in only seven years, if we fail to fix Medicare. Mr. Speaker, what small business can survive overhead like that?

Our Nation has more than 20 million small businesses, and it is these organizations which have made us the super power we are.

They are the engines of innovation and growth in our economy, providing virtually all the new jobs in our country over the past 10 years.

My State is the 2d most taxed State in the Nation, and my district is the 12th most taxed district in the country. I ask you, Mr. Speaker, how can I justify this increased burden on my small businesses?

Mr. Speaker, I hope that when the fearmongers start throwing their fictitious claims they remember the 37 million beneficiaries and our 20 million small businesses, rather than just their petty political goals.

SYMPTOMS IN THE HEADLINES

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker: Prosecutor executed in Boston; World Trade Center bombed; Federal building blown up in Oklahoma; Amtrak train sabotaged in Arizona; A mailbox Unabomber that is killing people through mailboxes: 25,000 murders a year; in some cities high school dropout rates over 50 percent.

I believe these are symptoms, Mr. Speaker, and Congress is addressing them as problems. Maybe the problems will be found in the Federal laws that reward dependency, penalize achievement, subsidize illegitimacy, kill families, kill investments, kill jobs.

I say to my colleagues: without jobs we will continue to have the symptoms that are the headlines of the U.S. papers.

THE REPUBLICAN PLAN PRESERVES AND PROTECTS MEDICARE

(Mr. TIAHRT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TIAHRT. Mr. Speaker, this weekend I spoke with my parents, and they are very concerned about the bickering that is going on over Medicare. This morning, in honor of the World War II veterans, we heard Senator INOUE ask that we work together to attack our common problems here in America. Well, Mr. Speaker, here are the facts on Medicare:

The President's board of trustees has told us that by 2002 Medicare will be bankrupt. The Republicans have a plan to preserve and protect that program. The plan includes the fact that no senior will be required to give up their

Medicare benefits, that the payments will go from \$4,800 per year per beneficiary this year up to \$6,700 per year per beneficiary. They will also offer options to seniors for other types of Medicare plans.

Mr. Speaker, some Members of Congress would try to scare our seniors into supporting opposition to this plan. It is a good plan. I request the seniors in America to call their Congressman and support the Republican plan to preserve and protect Medicare.

TRUTH IN THE DETAILS

(Mr. KNOLLENBERG asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KNOLLENBERG. Mr. Speaker, for all my colleagues who tried to scare the American public into believing that the devil was in the Republican Medicare plan, they forgot one thing, the truth is in the details, and in the marketplace of ideas, the truth will prevail.

The 1960's Medicare System is going broke. The Democrats know it, the Republicans know it, and the American public knows it. The truth in the details about the Medicare Preservation Act, is this:

There are no cuts in Medicare spending, we increase per beneficiary spending by \$1,900. There is no increase in Medicare copayments. There is no increase in Medicare deductibles. And there is no change in the current rate of Medicare premiums. Most importantly, the \$270 billion saved by Medicare under this proposition will be kept in Medicare to ensure its solvency for years to come.

Mr. Speaker, the truth is in the details.

LET US TALK ABOUT DETAILS

(Mrs. SCHROEDER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SCHROEDER. Mr. Speaker, I think it is very important to talk about the details. Let us talk about what is going on with Medicaid. Some of those details we know. There was no hearing, but, nevertheless, the Committee on Commerce has marked up the bill.

And let us talk about some of the, I think, very non-family-friendly things that they did:

If a couple suddenly finds one of them very, very ill and needing nursing home care, they did away with the 1988 statute that we passed, and now the entire couple's resources must be expended before they can go on Medicaid. Mr. Speaker, in 1988 we said that was not fair, the resources should be divided between the two, and they only had to deplete half because the remaining family members should not have to be poor. It also allows us to reach out and go back to the adult children and

attach their homes. We always felt that that was not fair either, that nobody wants to be dependent upon their children, and it also removed the standards that we fought so hard for in nursing homes.

Mr. Speaker, kennels will have more standards than we will have in nursing homes.

THE TRUTH

(Mr. KIM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KIM. Mr. Speaker, I am really concerned about this assault and accusation that the Republicans are trying to give millions and millions of dollars' tax credit to rich people at the expense of poor, elderly people by cutting Medicare spending. I am really concerned. This is a bunch of lies.

Let me tell my colleagues exactly what happened.

Here is a tax credit; they are talking about tax cuts, which is \$500 tax credit for child support. That money does not come from Medicare spending. It comes from actually non-Medicare spending cut, which is about \$622 billion. None of those Medicare money going to tax cut.

The second lie: Republicans just passed amendment to Medicare bill which prohibits any money being transferred from Medicare fund to other, other account.

Come on, let us stop this rhetoric. No money shall be transferred for the Medicare to other funds except Medicare trust fund itself. That is the truth.

AMERICA'S SENIORS BEING SOLD UP THE RIVER

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, back-room deals are becoming the standard for this new Congress. Last night, after a closed door meeting with Speaker GINGRICH the American Medical Association reversed its position and announced the association will now support the proposal.

According to the New York Times, a representative of the AMA reported that the organization reversed its position because "doctors would receive billions of dollars more than the Republicans had planned. But he and Mr. GINGRICH refused to give the details, nor would they specify which other groups might receive less money to make up the difference."

Well, why do we not make an educated guess? Medicare savings can only be achieved by cutting from providers or from beneficiaries. And, if the Republicans are not cutting from providers then guess who is making up the difference? America's seniors.

While Republicans buy off the special interests, it is America's seniors who are being sold up the river.

NO CONNECTION BETWEEN CUTTING TAXES AND MEDICARE

(Mr. HEFLEY asked and was given permission to address the House for 1 minute.)

Mr. HEFLEY. Mr. Speaker, liberal Democrats are, I believe, at the end of their rope. They know that action must be taken to preserve Medicare for future generations. But they come to the well and spew the grossest class warfare slogans I have ever heard.

Democrats go on and on about tax cuts for the rich.

But, least we forget, to a Democrat, anyone who has a job is rich. Anyone who has children is rich. Anyone who pays taxes is rich.

Mr. Speaker, there really is no connection between cutting taxes and Medicare. Medicare is going bankrupt—period. That has nothing to do with tax rates, or capital gains tax rates, or what level of income pays the biggest share of the tax burden.

But one thing is clear—Medicare is going bankrupt. No matter how hard they cry and scream about tax cuts, Democrats have not lifted one finger to save Medicare. And that is wrong.

EXTREME CUTS NOT NEEDED IN ORDER TO SAVE MEDICARE

(Mr. GENE GREEN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Speaker, just so my colleagues know that there are two sides to the debate, Medicare is not going bankrupt until, not going bankrupt until, the year 2002, and we can change Medicare by cutting over the next few years and increasing beneficiaries' costs may be \$90 billion, not \$270 billion. That is why the Republicans are scared, because the American people are not buying what they are trying to sell them. It is a tax cut of \$245 billion over that same 7 years and a Medicare cut of \$270 billion.

Mr. Speaker, the American College of Physicians and Surgeons, the AARP, finally came off of dead center and said it is wrong. We even have a freshman Republican doctor who has been quoted as saying, "I guarantee you that these reductions will be bad for quality health care, not just for our senior citizens, but also for working people."

Hello. Earth to the other side of the aisle. Listen to your own people. These extreme, and that is extreme, cuts do not need to be made to save Medicare, only \$90 billion, not \$270 billion.

PROUD TO BE A PART OF MEDICARE REFORM

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, let me correct the statement that was just made. It is not \$90 billion;

\$90 billion in the Democrat plan takes us out to the year 2006. Guess what? There are 4 more years before the baby boomers arrive, and that is where the real problem exists. Our reform takes us out to that point, and there is a \$300 billion difference in their plan and ours. They do not fund Medicare.

As my colleagues know, today is an important day for me because I am 65 and I have got a Medicare card. Guess what? I worried about it because of the bankruptcy, so I have spent months working with doctors, hospitals, nursing homes, insurance companies, and seniors in my district, as have a lot of us around the country, to save Medicare and find a solution. As my colleagues know, we have come up with a smorgasbord of choices, and I am proud to have been a part of the reform effort, not only for myself, but for every American who depends on Medicare. I am proud knowing that Congress has not just looked toward the next election, but we have looked to the next generation to make a better America for our kids.

□ 1115

HEALTH CARE IN RURAL AMERICA

(Mr. DE LA GARZA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DE LA GARZA. Mr. Speaker, I may be one of the few here that voted for Medicare, and the counterparts of the Members now that are complaining chastised me for having voted for Medicare when it was enacted in my first session of Congress.

I am concerned about rural America and health in rural America. The cuts proposed by our colleagues will increase the severe financial pressure on rural hospitals, and force some rural hospitals to close. Rural hospitals lose money on Medicare patients while urban hospitals make a small profit. Medicare accounts for almost 40 percent of the net patient revenue in the average rural hospital, as much as 80 percent in some rural hospitals. The Republican cut of \$58 billion over 7 years, a 20-percent cut in 2002 alone, will almost devastate most rural hospitals. We need to look at that.

I went throughout my country. I did not see what my colleagues were saying in their prepared speeches.

The Republican Medicare cuts will force 9.6 million older and disabled Americans in rural America to pay higher premiums and higher deductibles for a weakened second class Medicare Program.

Medicare spending for people in rural areas of America will be cut by \$58 billion over 7 years—a 20-percent cut in 2002 alone.

The Republican cuts will increase the severe financial pressure on rural hospitals in America and force some rural hospitals to close. Today, rural hospitals lose money on Medicare patients while urban hospitals make a small profit. Medicare accounts for almost

40 percent of net patient revenue in the average rural hospital, and as much as 80 percent in some rural hospitals.

According to the American Hospital Association, under the Republican cuts, the typical rural hospital will lose \$5 million in Medicare funding over 7 years.

Rural Medicare recipients would lose much-needed doctors. America's rural Medicare recipients would need 5,084 more primary care physicians to have the same doctor to population ratio as the Nation as a whole. Yet the American Medical Association has stated that the cuts in Medicare are so severe that they "will unquestionably cause some physicians to leave Medicare." [New York Times, October 10, 1995.]

THE CLEVELAND INDIANS—A TEAM OF DESTINY

(Mr. HOKE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOKE. Mr. Speaker, I thank my friend, the gentleman from Washington [Mr. METCALF], from the great apple- and fish-producing State, for his friendly wager on the outcome of the American League Baseball Championship series between the mighty Cleveland Indians and a team from Washington. I am sorry that I was not here yesterday to accept his bet immediately, but consider it done.

Mr. Speaker, I will wager an assortment of high-pressure hose fittings, high-quality roller bearings, and of course as much slab steel as the gentleman from Washington [Mr. METCALF] thinks that he can use. Cleveland, after all, is a working man's city, and we make stuff, we do not pick it off trees or pull it out of rivers.

However, since I am not sure how well industrial products are appreciated in the more agrarian regions of our great and vast country, I will also throw in a case of beer from our Great Lakes Brewing Co. and an assortment of Polish pierogies, German bratwurst, and Hungarian paprikash.

I do not mean to predict an outcome or want to sound overconfident, but just for the sake of clarification, I think the gentleman from Washington should know that I like my apples green and my salmon smoked.

The Indians are a team of destiny. No one knows more about overcoming adversity than the Cleveland Indians, except maybe House Republicans, and it is no coincidence that the last time the Indians won the pennant was the last time the Republicans controlled the House in sweeping proportions, just like the Indians will take the pennant this year.

THE LOCKBOX IS A SHAM

(Mr. BENTSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BENTSEN. Mr. Speaker, all along, the Republican Medicare plan

has been nothing but a shell game to design to hide that they are cutting Medicare to pay for tax cuts for the rich. The American people were not fooled, and they quickly caught on that Medicare would have to be cut by \$270 billion if the Republicans were not also trying to cut taxes by \$245 billion.

In fact, \$150 billion of the Medicare cuts the Republicans propose having nothing to do with the insolvency proposed in part A, so the Republicans have now introduced a new gimmick: the so-called Medicare lockbox.

Each new explanation only makes the Republicans look more and more like a kid caught with his hand in the cookie jar. The fact is we have a single Federal budget with a single bottom line. Tax cuts and Medicare expenditures are both part of that bottom line. If you cut taxes by \$245 billion, then you have to make up the lost revenues in order to balance the budget by 2002. The Republicans make up that lost revenue by cutting Medicare.

To claim that tax cuts are paid for from other cuts is absurd. The lockbox is a sham. Democrats want to fix Medicare as we always have, and the Republicans are not being honest about their intentions to raid Medicare to pay for tax cuts for the rich.

WE MUST LISTEN TO OUR CONSTITUENTS ON THE MEDICARE ISSUE

(Ms. JACKSON-LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE. Mr. Speaker, I wonder whether anyone reads their mail. I take time to do it, and I think it is important as we debate this matter, since we are only having about half a second of hearings on Medicare, to really listen to the constituents.

I can tell you I am getting a lot of mail. From Sister Jane Abell of the Dominican Sisters:

I am opposed to the proposed Medicare and Medicaid cuts, especially when the Congress wants to give the Pentagon \$7 billion more than they requested. In my view it is unjust to make the most vulnerable people in our society bear the brunt of needed cuts. I hope this issue will be more fully debated and more humane compromises reached.

Yes, Sister, I am going to be working on that and so are the Democrats.

Two senior citizens say:

My wife and I have had total of 14 operations. We spend \$650 per 3 months for Medicare Plus insurance. About one-third of our retirement goes for medical. We do not need cuts, we need to clean up what we have and cut the waste.

That is what we are saying to the Republicans: Cut the waste and the fraud and abuse, do not take \$270 billion out of Medicare just to give tax increases to those who well can afford it. Let me tell you something. If you listen to our hospitals, Texas Children's, our local community hospitals, they are saying, "Do not cut Medicare and Medicaid, do

not cut services." Let us be rational, let us be real. Let us do something right for Medicare and for our senior citizens.

MEDICARE CUTS HURT

(Mr. FARR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FARR. Mr. Speaker, last week I got a check in the mail.

At first I thought it was a check for having a flag flown over the Capitol.

But it wasn't.

Then I thought maybe it was a misdirected campaign contribution.

But it wasn't.

Then I looked again.

It was a check from a senior citizen in my district who is so scared she will lose her Medicare benefits, she wanted to contribute \$10 to the government to make the system whole again.

She thought that if enough people contributed \$10, everything would be all right and she could rest easy about the state of her health care.

Mr. Speaker, I wish I could give her that reassurance.

Not only did I send the check back to her, I had to tell her that the outlook was bleak for protecting her health care under current proposals now making their way through the reconciliation process.

It's a sad day in America that we've come to this point; that our senior citizens are so scared of our actions that they are begging us not to take away their health care.

I sent the check back but, unfortunately, it won't even begin to cover her Medicare cuts.

My constituent is going to need that \$10 check. Actually, she's going to need a whole lot more.

TOO MUCH MONEY IN HEALTH CARE CUTS AND TOO MUCH MONEY TO THE AMA

(Mr. KLECZKA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KLECZKA. Mr. Speaker, a lot of talk has been had today on Medicare. Let me make two quick points. No. 1, there is a solvency problem of Part A, the hospital trust fund, and we are told to extend the solvency to the year 2006 it will take \$90 billion. In about 10 minutes the Democrats on the Committee on Ways and Means will produce their bill to save the Medicare trust fund, but although it takes \$90 billion to save the trust fund, the Republicans are cutting \$270 billion. I ask, why are they cutting three times as much as necessary, and after they cut \$270 billion, they resolve the trust fund to the year 2006 also? Because the balance is going for tax cuts.

We had a committee meeting marking up the Medicare bill yesterday. There was an amendment to provide

for mammography screening for women 65 and over. The amendment was defeated, with all Republicans voting against it, and the reason they say we could not provide this screening for women: We do not have the money. At the same time, the Speaker is sitting with the AMA giving them \$3 billion in a payoff so they would come out and support the bill. Let us get real.

APPOINTMENT OF CONFEREES IN LIEU OF CONFEE ON S. 440, NATIONAL HIGHWAY SYSTEM DESIGNATION ACT OF 1995 AND S. 395, ALASKA POWER ADMINISTRATION ASSET SALE AND TERMINATION ACT

The SPEAKER pro tempore (Mr. SHARP). Without objection, the Chair appoints the following Members as conferees to fill the vacancies resulting from the resignation from the House of the gentleman from California [Mr. MINETA]: Mr. BORSKI, on S. 440; Mr. OBERSTAR, for consideration of House amendment No. 2 for the conference on S. 395.

There was no objection.
The SPEAKER pro tempore. The Clerk will notify the Senate of the change in conferees.

PERMISSION FOR CERTAIN COMMITTEES AND THEIR SUBCOMMITTEES TO SIT TODAY DURING 5-MINUTE RULE

Mr. HEFLEY. Mr. Speaker, I ask unanimous consent that the following committees and their subcommittees be permitted to sit today while the House is meeting in the Committee of the Whole House under the 5-minute rule:

The Committee on Banking and Financial Services, the Committee on Commerce, the Committee on International Relations, the Committee on the Judiciary, the Committee on Science, the Committee on Small Business, the Committee on Transportation and Infrastructure.

It is my understanding that the minority has been consulted and there is no objection to these requests.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

OMNIBUS CIVILIAN SCIENCE AUTHORIZATION ACT OF 1995

Mr. QUILLEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 234, and ask for its immediate consideration.

The Clerk read as follows:

H. RES. 234

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 2405) to authorize appropriations for fiscal years 1996 and 1997 for civilian science activities of the Federal Government, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Science. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered by title rather than by section. The first section and each title shall be considered as read. An amendment striking section 304(b)(3) shall be considered as adopted in the House and in the Committee of the Whole. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Tennessee [Mr. QUILLEN] is recognized for 1 hour.

Mr. QUILLEN. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from California [Mr. BEILENSEN], pending which I yield myself such time as I may consume.

During consideration of this resolution, all time yielded is for purposes of debate only.

(Mr. QUILLEN asked and was given permission to revise and extend his remarks and to include extraneous matter.)

Mr. QUILLEN. Mr. Speaker, House Resolution 234 is an open rule providing for the consideration of H.R. 2405, the Omnibus Civilian Science Authorization Act of 1995. The rule provides 1 hour of general debate, divided equally between the chairman and ranking minority member of the Committee on Science.

The rule provides that the bill be considered by title, rather than by section, and that the first section and each title be considered as read. Additionally, the rule provides for the automatic adoption of an amendment striking section 304(b)(3) related to rule-making activities by the Department of Energy. The rule accords priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD. Finally, the rule provides one motion to recommit, with or without instructions.

Mr. Speaker, H.R. 2405 consolidates the following seven bills into one measure:

H.R. 1814 authorizing appropriations for the environmental research, development, and demonstration activities of the Environmental Protection Agency.

H.R. 1815, the National Oceanic and Atmospheric Administration Authorization Act, which covers the National Oceanographic Service, the Oceanic and Atmospheric Research Administration, the National Weather Service, and other important functions.

H.R. 1816, the Department of Energy, Civilian Research and Development Act.

H.R. 1851, reauthorizing the U.S. Fire Administration, which coordinates the Nation's fire safety and emergency medical service activities, and educates the public on fire prevention and control.

H.R. 1852, the National Science Foundation Authorization Act.

H.R. 1870, the American Technology Advancement Act, which provides for the important technological invasions promoted by the Department of Commerce Technology Administration, and the National Institute of Standards and Technology.

H.R. 2043, the National Aeronautics and Space Administration Authorization Act, which will keep America at the forefront of space exploration and research.

Although the minority expressed some dissatisfaction with all of these bills, I would like to point out that each one was ordered reported by a voice vote, and reports were filed on each bill by the Committee on Science.

I salute the chairman, the gentleman from Pennsylvania, BOB WALKER, the ranking member, the gentleman from California, GEORGE BROWN, and all of the Members of the Committee on Science for their diligence and devotion in bringing this conference measure forward. I strongly support this bill, and this open rule will allow all Members to fully participate in the amendment process. I urge its adoption.

Mr. Speaker, I include for the RECORD the following material:

THE AMENDMENT PROCESS UNDER SPECIAL RULES REPORTED BY THE RULES COMMITTEE,¹ 103D CONGRESS V. 104TH CONGRESS

[As of October 10, 1995]

Rule type	103d Congress		104th Congress	
	Number of rules	Percent of total	Number of rules	Percent of total
Open/Modified-open ²	46	44	51	74
Modified Closed ³	49	47	15	22
Closed ⁴	9	9	3	4

THE AMENDMENT PROCESS UNDER SPECIAL RULES REPORTED BY THE RULES COMMITTEE,¹ 103D CONGRESS V. 104TH CONGRESS—Continued

[As of October 10, 1995]

Rule type	103d Congress		104th Congress	
	Number of rules	Percent of total	Number of rules	Percent of total
Total	104	100	69	100

¹ This table applies only to rules which provide for the original consideration of bills, joint resolutions or budget resolutions and which provide for an amendment process. It does not apply to special rules which only waive points of order against appropriations bills which are already privileged and are considered under an open amendment process under House rules.

² An open rule is one under which any Member may offer a germane amendment under the five-minute rule. A modified open rule is one under which any Member may offer a germane amendment under the five-minute rule subject only to an overall time limit on the amendment process and/or a requirement that the amendment be preprinted in the Congressional Record.

³ A modified closed rule is one under which the Rules Committee limits the amendments that may be offered only to those amendments designated in the special rule or the Rules Committee report to accompany it, or which preclude amendments to a particular portion of a bill, even though the rest of the bill may be completely open to amendment.

⁴ A closed rule is one under which no amendments may be offered (other than amendments recommended by the committee in reporting the bill).

SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS

[As of October 10, 1995]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 38 (1/18/95)	O	H.R. 5	Unfunded Mandate Reform	A: 350–71 (1/19/95).
H. Res. 44 (1/24/95)	MC	H. Con. Res. 17	Social Security	A: 255–172 (1/25/95).
		H.J. Res. 1	Balanced Budget Amdt	
H. Res. 51 (1/31/95)	O	H.R. 101	Land Transfer, Taos Pueblo Indians	A: voice vote (2/1/95).
H. Res. 52 (1/31/95)	O	H.R. 400	Land Exchange, Arctic Nat'l. Park and Preserve	A: voice vote (2/1/95).
H. Res. 53 (1/31/95)	O	H.R. 440	Land Conveyance, Butte County, Calif	A: voice vote (2/1/95).
H. Res. 55 (2/1/95)	O	H.R. 2	Line Item Veto	A: voice vote (2/2/95).
H. Res. 60 (2/6/95)	O	H.R. 665	Victim Restitution	A: voice vote (2/7/95).
H. Res. 61 (2/6/95)	O	H.R. 666	Exclusionary Rule Reform	A: voice vote (2/7/95).
H. Res. 63 (2/8/95)	MO	H.R. 667	Violent Criminal Incarceration	A: voice vote (2/9/95).
H. Res. 69 (2/9/95)	O	H.R. 668	Criminal Alien Deportation	A: voice vote (2/10/95).
H. Res. 79 (2/10/95)	MO	H.R. 728	Law Enforcement Block Grants	A: voice vote (2/13/95).
H. Res. 83 (2/13/95)	O	H.R. 7	National Security Revitalization	PO: 229–100; A: 227–127 (2/15/95).
H. Res. 88 (2/16/95)	MC	H.R. 831	Health Insurance Deductibility	PO: 230–191; A: 229–188 (2/21/95).
H. Res. 91 (2/21/95)	O	H.R. 830	Paperwork Reduction Act	A: voice vote (2/22/95).
H. Res. 92 (2/21/95)	MC	H.R. 889	Defense Supplemental	A: 282–144 (2/22/95).
H. Res. 93 (2/22/95)	MO	H.R. 450	Regulatory Transition Act	A: 252–175 (2/23/95).
H. Res. 96 (2/24/95)	O	H.R. 1022	Risk Assessment	A: 253–165 (2/27/95).
H. Res. 100 (2/27/95)	MO	H.R. 926	Regulatory Reform and Relief Act	A: voice vote (2/28/95).
H. Res. 101 (2/28/95)	MO	H.R. 925	Private Property Protection Act	A: 271–151 (3/2/95).
H. Res. 103 (3/3/95)	MO	H.R. 1058	Securities Litigation Reform	
H. Res. 104 (3/3/95)	MO	H.R. 988	Attorney Accountability Act	
H. Res. 105 (3/6/95)	MO			A: voice vote (3/6/95).
H. Res. 108 (3/7/95)	Debate	H.R. 956	Product Liability Reform	A: 257–155 (3/7/95).
H. Res. 109 (3/8/95)	MC			A: voice vote (3/8/95).
H. Res. 115 (3/14/95)	MC	H.R. 1159	Making Emergency Supp. Approps	PO: 234–191; A: 247–181 (3/9/95).
H. Res. 116 (3/15/95)	MO	H.J. Res. 73	Term Limits Const. Amdt	A: 242–190 (3/15/95).
H. Res. 117 (3/16/95)	Debate	H.R. 4	Personal Responsibility Act of 1995	A: voice vote (3/28/95).
H. Res. 119 (3/21/95)	MC			A: voice vote (3/21/95).
H. Res. 125 (4/3/95)	O	H.R. 1271	Family Privacy Protection Act	A: 217–211 (3/22/95).
H. Res. 126 (4/3/95)	O	H.R. 660	Older Persons Housing Act	A: 423–1 (4/4/95).
H. Res. 128 (4/4/95)	O	H.R. 1215	Contract With America Tax Relief Act of 1995	A: voice vote (4/6/95).
H. Res. 130 (4/5/95)	MC	H.R. 483	Medicare Select Expansion	A: 228–204 (4/5/95).
H. Res. 136 (5/1/95)	O	H.R. 655	Hydrogen Future Act of 1995	A: 253–172 (4/6/95).
H. Res. 139 (5/3/95)	O	H.R. 1361	Coast Guard Auth. FY 1996	A: voice vote (5/2/95).
H. Res. 140 (5/9/95)	O	H.R. 961	Clean Water Amendments	A: voice vote (5/9/95).
H. Res. 144 (5/11/95)	O	H.R. 535	Fish Hatchery—Arkansas	A: 414–4 (5/10/95).
H. Res. 145 (5/11/95)	O	H.R. 584	Fish Hatchery—Iowa	A: voice vote (5/15/95).
H. Res. 146 (5/11/95)	O	H.R. 614	Fish Hatchery—Minnesota	A: voice vote (5/15/95).
H. Res. 149 (5/16/95)	MC	H. Con. Res. 67	Budget Resolution FY 1996	PO: 252–170; A: 255–168 (5/17/95).
H. Res. 155 (5/22/95)	MO	H.R. 1561	American Overseas Interests Act	A: 233–176 (5/23/95).
H. Res. 164 (6/8/95)	MC	H.R. 1530	Nat. Defense Auth. FY 1996	PO: 225–191; A: 233–183 (6/13/95).
H. Res. 167 (6/15/95)	O	H.R. 1817	MillCon Appropriations FY 1996	PO: 223–180; A: 245–155 (6/16/95).
H. Res. 169 (6/19/95)	MC	H.R. 1854	Leg. Branch Approps. FY 1996	PO: 232–196; A: 236–191 (6/20/95).
H. Res. 170 (6/20/95)	O	H.R. 1868	For. Ops. Approps. FY 1996	PO: 221–178; A: 217–175 (6/22/95).
H. Res. 171 (6/22/95)	O	H.R. 1905	Energy & Water Approps. FY 1996	A: voice vote (7/12/95).
H. Res. 173 (6/27/95)	C	H.J. Res. 79	Flag Constitutional Amendment	PO: 258–170; A: 271–152 (6/28/95).
H. Res. 176 (6/28/95)	MC	H.R. 1944	Emer. Supp. Approps	PO: 236–194; A: 234–192 (6/29/95).
H. Res. 185 (7/11/95)	O	H.R. 1977	Interior Approps. FY 1996	PO: 235–193; D: 192–238 (7/12/95).
H. Res. 187 (7/12/95)	O	H.R. 1977	Interior Approps. FY 1996 #2	PO: 230–194; A: 229–195 (7/13/95).
H. Res. 188 (7/12/95)	O	H.R. 1976	Agriculture Approps. FY 1996	PO: 242–185; A: voice vote (7/18/95).
H. Res. 190 (7/17/95)	O	H.R. 2020	Treasury/Postal Approps. FY 1996	PO: 232–192; A: voice vote (7/18/95).
H. Res. 193 (7/19/95)	C	H.J. Res. 96	Disapproval of MFN to China	A: voice vote (7/20/95).
H. Res. 194 (7/19/95)	O	H.R. 2002	Transportation Approps. FY 1996	PO: 217–202 (7/21/95).
H. Res. 197 (7/21/95)	O	H.R. 70	Exports of Alaskan Crude Oil	A: voice vote (7/24/95).
H. Res. 198 (7/21/95)	O	H.R. 2076	Commerce, State Approps. FY 1996	A: voice vote (7/25/95).
H. Res. 201 (7/25/95)	O	H.R. 2099	VA/HUD Approps. FY 1996	A: 230–189 (7/25/95).
H. Res. 204 (7/28/95)	MC	S. 21	Terminating U.S. Arms Embargo on Bosnia	A: voice vote (8/1/95).
H. Res. 205 (7/28/95)	O	H.R. 2126	Defense Approps. FY 1996	A: 409–1 (7/31/95).
H. Res. 207 (8/1/95)	MC	H.R. 1555	Communications Act of 1995	A: 255–156 (8/2/95).
H. Res. 208 (8/1/95)	O	H.R. 2127	Labor, HHS Approps. FY 1996	A: 323–104 (8/2/95).
H. Res. 215 (9/7/95)	O	H.R. 1594	Economically Targeted Investments	A: voice vote (9/12/95).
H. Res. 216 (9/7/95)	MO	H.R. 1655	Intelligence Authorization FY 1996	A: voice vote (9/12/95).
H. Res. 218 (9/12/95)	O	H.R. 1162	Deficit Reduction Lockbox	A: voice vote (9/13/95).
H. Res. 219 (9/12/95)	O	H.R. 1670	Federal Acquisition Reform Act	A: 414–0 (9/13/95).
H. Res. 222 (9/18/95)	O	H.R. 1617	CAREERS Act	A: 388–2 (9/19/95).
H. Res. 224 (9/19/95)	O	H.R. 2274	Natl. Highway System	PO: 241–173; A: 375–39–1 (9/20/95).
H. Res. 225 (9/19/95)	MC	H.R. 927	Cuban Liberty & Dem. Solidarity	A: 304–118 (9/20/95).
H. Res. 226	O	H.R. 743	Team Act	A: 344–66–1 (9/27/95).
H. Res. 227 (9/21/95)	O	H.R. 1170	3-Judge Court	
H. Res. 228 (9/21/95)	O	H.R. 1601	Internatl. Space Station	A: voice vote (9/27/95).
H. Res. 230 (9/27/95)	C	H.J. Res. 108	Continuing Resolution FY 1996	A: voice vote (9/28/95).
H. Res. 234 (9/29/95)	O	H.R. 2405	Omnibus Science Auth	

Codes: O-open rule; MO-modified open rule; MC-modified closed rule; C-closed rule; A-adoption vote; D-defeated; PO-previous question vote. Source: Notices of Action Taken, Committee on Rules, 104th Congress.

Mr. QUILLEN. Mr. Speaker, I reserve the balance of my time.

□ 1130

Mr. BEILENSEN. Mr. Speaker, I thank the gentleman from Tennessee [Mr. QUILLEN] for yielding the customary 30 minutes of debate time to me. I yield myself such time as I may consume.

Mr. Speaker, this is an open rule. We do not oppose it, although we do have serious concerns about the way that the bill has been considered and has been brought before us. We find it very disturbing, in fact, that the majority on the Committee on Rules is condoning the process by which the Committee on Science considers this

bill and by which the House will take it up today.

Seven separate authorization bills, six of them major ones, were rolled into one major piece of legislation. These were traditionally considered individually and they should have been this time as well, we believe. Instead of having 6 or 7 hours of general debate, as would ordinarily be the case, we will

have only 1 hour of time, only for the most cursory type of debate on these seven separate pieces of legislation.

During the hearing process, we understand the legislation was often not made available so that Members could not ask about it and witnesses could not respond to specific legislative proposals. That meant that much of what the committee had recommended has no basis in the printed record of the committee's proceedings. Since H.R. 2405 was never reported by the committee, it is insulated from several points of order that apply only to committee-reported bills. That includes clause 5(a) of rule XXI, which prohibits an authorizing committee from reporting a bill that contains an appropriation of funds.

For example, Mr. Speaker, we understand that section 312 of the bill takes funds that have been previously appropriated for clean coal technology and permits them to be used to pay for termination costs of various programs zeroed out in title III. This section appears to permit a new purpose for funds that had been previously appropriated by the House.

Under the precedents of the House, this section appears to constitute an appropriation violative of clause 5(a) of rule XXI which prohibits an authorizing committee from reporting a bill that contains an appropriation of funds.

Mr. Speaker, if this bill had been reported by the Committee on Science, if it were being considered under the procedures the House would normally follow, a point of order would lie against section 312 of H.R. 2405.

Those are special concerns, and since most of us will recall that the current chairman of the Committee on Science, the distinguished gentleman from Pennsylvania [Mr. WALKER], when in the minority, was one of those who complained most vociferously and properly, at times, about using the Committee on Rules to protect bills that violated House rules.

The distinguished ranking member of the Committee on Science, the gentleman from California [Mr. BROWN], has called the process by which this bill is being considered unprecedented, unwarranted, and unwise, and we believe he is correct in so categorizing it.

As my colleagues know, Mr. BROWN is perhaps the perfect example of the type of policy specialist who has served the committee system in the House so well and so fairly for so many years in the past. We should be making the maximum use of his expertise in his warnings about this bill, about the way it has been and is being considered, and should not go unheeded.

That goes to the heart of the importance of the authorization process which gives the House the opportunity to consider broad policy issues after conscientious consideration after the committee hearing and markup process. Mr. BROWN has been speaking eloquently about the significance of this

procedure and its proper use for many years, and we fear that we have not listened carefully enough to his warnings about the necessity for a deliberative authorization process, at least in this particular case.

Mr. Speaker, the 1 hour of general debate provided by this rule precludes all but the most cursory type of consideration. This is 1 hour of debate for six major bills that address such disparate programs as nuclear physics, space, the Weather Service, global climate change, fossil fuel energy research, environmental technologies, marine research, Department of Energy laboratories, and the National Science Foundation. They should, as I suggested earlier, have been taken up separately. We have to wonder if the majority planned this so that the programs which deserve more time and more thoughtful consideration, especially since they are being cut back so severely, would not get the attention they deserve.

Mr. Speaker, the ranking member, the gentleman from California [Mr. BROWN] testified before our committee about some other procedural concerns. In several instances the Committee on Science acted without benefit of testimony on matters entirely outside its jurisdiction; and, important to the omnibus structure of the bill, since this bill would go to four separate committees in the Senate, it certainly will not survive the process in this unprecedented omnibus form.

Mr. Speaker, the substance of the bill itself is disturbing to many of us. We hope that the concerns about the Federal Government's role in encouraging the important investments made by civilian research and development can be fully debated. This is an important debate, focusing as it does on the enormous cut of 33 percent for civilian R&D over the next 5 years.

The bill represents, sadly, the first step in dismantling the scientific infrastructure that supports our understanding of the environment; it cuts the programs that bring better science to bear on the environmental problems we have discussed so often this year and undoubtedly will continue to in years to come. The bill cuts NOAA's global climate change budget in half, almost certainly terminating some of the research to determine the validity of the global warning phenomenon. It imperils our efforts to ensure our Nation's future energy security and reduce our dangerous reliance on nonrenewable and foreign energy resources by cutting our investment in energy research and development so drastically. It effectively eliminates the National Science Foundation's research in social and behavioral sciences without the benefit of hearings or the opportunity for comments, and its cuts in NASA will, as the ranking member of the committee testified, adversely affect our future space program.

All in all, Mr. Speaker, this omnibus bill represents a massive disinvestment

in our civilian research and development efforts at a time when it is precisely these programs that we should be strengthening.

So in conclusion, Mr. Speaker, we have many concerns about the way in which these several pieces of legislation are being brought before us today. We hope that under this open rule Members are able to sort out and vote intelligently on all of the many disparate matters that will come before us in this omnibus piece of legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. QUILLEN. Mr. Speaker, I have no requests for time.

Mr. BEILENSON. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from California [Mr. BROWN], the ranking member of the committee.

(Mr. BROWN of California asked and was given permission to revise and extend his remarks.)

Mr. BROWN of California. Mr. Speaker, I thank the gentleman very much for yielding me this time.

Mr. Speaker, although it may be a little repetitious, I want to go over some of the factors which relate to this bill and which relate to the rule under which we are considering it.

Mr. Speaker, I am pleased that the chairman of the committee has requested an open rule for the consideration of H.R. 2405, and I indicated my pleasure during the hearing at the Committee on Rules. This continues a tradition of the Committee on Science, which sometimes, to the chagrin of other Members of the House, has requested open rules and debated bills rather lengthily here on the floor.

While all Members will have an opportunity to come to the floor and offer amendments by which the House as a whole can express its will, the opportunity in this case may be more theoretical than real. The Committee on Rules has chosen to honor the request of the chairman of the Committee on Science to bundle seven bills which were separately reported by the Committee on Science. While a few are relatively noncontroversial, many were reported only after many hours of debate and discussion in the committee.

Unfortunately, Members who are not on the Committee on Science have had very little time to digest this seven-course meal; and other critical activities which are likewise ongoing this week, like the markup of the budget reconciliation bill, are likely to further distract Members' attention away from this bill.

This is a shame, Mr. Speaker, because the policies in this bill will have an impact in every district in this Nation. H.R. 2405 reflects the Republican budget resolution, which reverses the policies of the last 50 years that have made the United States the undisputed world leader in science and technology. H.R. 2405 is another step in the most massive disinvestment of Federal support for research and technology since the end of World War II.

For some, the impacts will come soon, as researchers in Federal laboratories lose their jobs, as universities cut faculty and research programs, as graduate students in science and engineering find themselves without challenging work opportunities. But the greater impacts will be long-range, in the loss of economic opportunities, in the loss of our intellectual capital, in the diminution of our scientific and engineering enterprise, and in missed opportunities for improved environmental quality, energy security, and health care.

Mr. Speaker, I do not fault the gentleman from Pennsylvania [Mr. WALKER], the chairman of the Committee on Science, for rolling these bills together into a single omnibus bill, even though I think it will have the effect of diminishing the attention we can give to each agency. Indeed, I commend him for his efforts to elevate the authorization process for the civilian science agencies by emulating the defense authorization bill.

I might say parenthetically that over the past years, we have worked together in a constructive way to enhance the authorization process, and I give the chairman, the distinguished gentleman from Pennsylvania [Mr. WALKER], full credit for attempting, in what he is doing here, to continue to enhance that process. I doubt seriously that what we are doing will have that effect, and I want all of the Members of the House to consider whether or not this is the answer to the problem of enhancing the authorization process in the workings of the House.

Mr. Speaker, I would like to say first of all that the bill does not authorize all of civilian science, which would be desirable, in our opinion. Many important civilian science agencies, including the single largest civilian science agency, the National Institutes of Health, are not included in this bill. Therefore, the House cannot truly set priorities in the civilian science portfolio in this bill as the Armed Services Committee does with regard to military expenditures.

Second, the structure of the authorization and appropriation committees in the House and Senate are not as conducive to moving authorization bills for these programs as they are for moving a defense authorization and appropriation bill. In the House, for example, the appropriations for the programs in H.R. 2405 are assigned to four different subcommittees, each with many of the programs competing with these science programs for its 602(b) allocation. In the Senate, this bill will be referred to four different authorizing committees that historically have not been particularly active in passing authorizations. Although it is a little late to comment on it, the chairmen of some of these authorizing committees in the Senate were also chairmen of appropriation subcommittees and have too little motivation to go through the

process of dealing with the funding of these programs twice.

This structure is very different from the single defense authorizing committee and the single defense appropriations committee with parallel jurisdiction in both the House and Senate. For that reason, I see little reason to believe that the Senate will act at all on this bill, despite the Chairman's commendable efforts to convince the Senate to act. In fact, if he desires, I would be more than happy to join him in trying to get bipartisan action in the Senate. But as I say, I am dubious that we can succeed in this.

Finally and most importantly, the defense authorization bill comes to the floor before the appropriations bill, and that has been worked out very carefully over the years and has the full support of the leadership in order to accomplish that. Despite the hard work that our committee has expended on the part of H.R. 2405, the fact is that it is largely irrelevant to the fiscal year 1996 appropriation process. The real funding decisions have already been made in the various appropriations bills. We will debate this bill and vote on amendments, but the debate will be largely symbolic, with little effect on the real world.

Mr. Speaker, to the extent that the House now conforms H.R. 2405 to the actions of the Appropriations Committee, the Committee on Science will be reduced to a rubber stamp. Indeed, the chairman of the committee has acknowledged the weakness of the authorizing process. He instituted a number of interesting new procedures this year to help ensure the committee's relevance to the budget process, but I question whether he has been entirely successful in this effort. In his other role as the vice chairman of the Budget Committee, the chairman of the Committee on Science first helped to establish his desired science budget policies in the budget resolution. The chairman then instructed the Committee on Science that the authorization levels for each agency needed to be within authorization caps mandated by the budget resolution, although no such caps could of course be found within the House budget resolution, a point that I made repeatedly during the deliberations in the subcommittees. Nonbinding report language, however, accompanying the House budget resolution was elevated to dogma for the Committee on Science.

Finally, when the Appropriations Committee began to mark up bills with numbers different from those that the chairman of the Committee on Science wanted, he hastily called markup sessions with the barest minimum of notice and opportunity to review the bill, and often without adequate hearings.

□ 1145

At the DOE bill markup, for example, the chairman announced that the old mandatory budget authorization caps that he had instructed the subcommit-

tee's chairman would be binding on the subcommittee had been replaced, overnight, by new, higher budget resolution caps which remarkably permitted the committee to raise the authorization funding closer to levels that had been approved by the appropriators.

As the chairman will surely respond, the evidence of the committee's influence can be shown by the fact that most of the appropriations funding, with a few notable exceptions, are fairly close to the levels found in this bill that we will be taking up. But I think that a careful consideration of the facts above will show that the only influence exercised was that of the chairman, not of the collective membership of the committee.

Despite my high respect for the chairman, and my own efforts previously as chairman to influence appropriators, and it is not a sin to try and do that, this does not reflect, however, the action of the full committee. The individual members of the committee have little if any input into the fundamental policy decisions, most of which were made prior to any committee consideration. The chairman arbitrarily limited the committee scope of action and merely asked them to ratify decisions already made.

Whether the chairman's increased leverage over the appropriation process will be worth the loss of a collegial and democratic process at the Committee on Science level remains to be judged by history. Of course the usurpation of the responsibilities of the members of the authorizing committee, the Committee on Science in this case, by the Republican leadership, does not end at the committee's doors.

As we will witness in the reconciliation process this week, the Republican leadership will have no qualms about ditching the considered work product of any of the committees and substituting their own politically correct views, as with the Commerce Dismantling Act, or as in the case of the Committee on Agriculture. The leadership will bypass that committee entirely and write the farm reconciliation bill itself.

Mr. Speaker, in the light of these actions it is hardly surprising that some Members on both sides of the aisle have begun to question whether authorizing committees have any role in this new Congress. Unfortunately, we do nothing to advance an answer to that question today in our largely symbolic consideration of H.R. 2405.

Mr. QUILLEN. Mr. Speaker, I yield as much time as he may consume to the gentleman from Pennsylvania [Mr. WALKER], the distinguished chairman of the Committee on Science.

Mr. WALKER. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I rise in support of this open rule, and I thank the chairman of the Committee on Rules for his assistance in bringing H.R. 2405 to the floor. This bill is a compilation of seven traditional agency authorization bills the

Committee on Science is required to produce to meet its oversight and priority setting responsibilities. Consideration of this comprehensive bill is beneficial both from a practical and a programmatic viewpoint.

Combining these authorization bills under a single umbrella provides Congress with a clear means of considering civilian R&D in its entirety and provides an excellent forum for setting research priorities. Defense funding has traditionally been considered in an omnibus package, and by doing the same with civilian research funding the committee is elevating science as a priority to a more prominent standing within the authorization process.

The unification and rationalization of most of the Government's fundamental science functions in one vehicle demonstrates the advantage of coordinating these programs. It is a good illustration of the enormous potential of a consolidated Federal science infrastructure. So I do urge the support of this resolution to bring this rule to the floor.

I am disappointed in the previous discussion, because it takes what should be a policy concern and rather reduces it to a personality battle that the gentleman from California evidently has with the chairman. Most of what he discussed was what the chairman did in this.

The chairman of the Committee on Science cannot act without a majority of the members of the committee being with him, unlike the old days, when the gentleman's party ran the Committee on Science and ran the Congress, we operated with a proxy system where the chairman would sit there and vote other people's votes along the way, and would determine the course of policy by the use of an abhorrent system called proxy voting.

Today you actually have to have Members in the room and a majority of those Members have to support the actions that the chairman suggests or any person other than the chairman might suggest. So we are operating in a manner in Congress today which is entirely different, where Members actually cast their votes for real.

It is a strange new world, I know, to the people who for years operated in back rooms and then voted with proxies. But the fact is that this is the way in which policy can indeed get made, and get made I think in a beneficial way.

This particular bill was the subject of many days of hearings in subcommittees. It is a bill that the gentleman from California suggested had not had proper hearings. In all cases these were matters that were heard in subcommittee. The committee deliberated on these matters not only in subcommittee but in full committee. The decision to wrap them together in a bill brought to the floor was indeed a decision made with the idea of enhancing the stature of science.

To suggest that somehow this bill is diminishing the work of science I think

does not reflect reality. In fact, it gets almost humorous when you look at the fact that we are dealing with the broad base of science for the first time. For the first time in the history of the House, we are dealing with the broad base of science as a comprehensive kind of program.

I am also amused, having seen some of the missives that the minority is sending out to the Members, that at the time that we are trying to raise the stature of the program to a national effort, something that the Nation should be proud of, the minority is sending out letters that are broken down State-by-State, district-by-district, appealing to the Members' pork barrel concerns.

If that does not undermine the ability to deal with these matters as a national concern, I do not know what does. Yet they come to the floor and suggest that somehow there is something happening here that diminishes science's concern. We probably ought to look at what they are doing.

I also heard them suggest that NIH is not included in this bill. No, it is not in this bill. NIH is not in the jurisdiction of our committee. Much as the gentleman from California and I might like to have it in the jurisdiction of our committee, it is not. We cannot bring it to the floor as a bill because we do not have the appropriate jurisdiction. I wish it were different, but it is not.

I guess the final thing I would make mention of is that the mention was made in the debate that we should not do the right thing because the Senate might not act. I mean, in general it has been discussed here that this is the right thing to do, to treat science as an issue that needs some comprehensive treatment, but we ought not to do it because the Senate might not act.

William Penn, who founded the commonwealth which I am proud to help represent, once made the statement that right is right even if everyone is against it, and wrong is wrong even if everyone is for it. Sometimes in this body we ought to consider that. If it is the right thing to do, even if everyone is against it, maybe we ought to try it, and so on, because right is right, even if everyone is against it. Wrong is wrong, even if everyone is for it.

In this case we have the right bill, we have the right rule. I would suggest that we should support both the rule and ultimately the bill.

Mr. BEILENSEN. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. BROWN], the distinguished ranking member of the committee.

Mr. BROWN of California. I thank the gentleman very much for yielding me the time.

Mr. Speaker, I have the very highest respect for the distinguished chairman of the Committee on Science, and I did not intend to personalize this discussion in the fashion that he seemed to indicate he thought I was trying to do. I was referring to his institutional role

as chairman when I suggested some of the things that he has done in his institutional role as vice chairman of the Committee on the Budget, and in other roles that he plays.

He has continued to present this bill in his remarks just now as being justified because it allows us to deal in one bill with the broad base of science in a comprehensive way. Obviously he did not really mean that, because he further on in his remarks acknowledged that the entire field of the health sciences, which represents about a third of our civilian science, was not included. Of course it does not deal with the even larger broad base of science which is contained in the defense bill, which is about 55 percent of our total science expenditures.

So we cannot in this bill establish programs for the board base of science at the maximum we are talking about, perhaps 30 percent, of that broad base of Federal investments in research and development.

In that 30 percent that we deal with in this broad-based bill, we are setting a trend which differs completely from what is happening in the other two-thirds. In the case of the health sciences, basic research, we continue to increase that budget, not much. For next year it barely exceeds the cost-of-living increase, but it is an increase.

In the case of the 55 percent of the Federal R&D investments which are in the Defense Department, you would think with the declining threat to our national security, surely we would be leading the way by reducing our investments in military R&D. As a matter of fact, the military R&D programs continue essentially stable.

So in this key element, civilian research and development outside of the health field, we are proposing a one-third cut over the next several years in contradistinction to the other two-thirds of our Federal R&D investment. This, of course, is the very disturbing thing that bothers me.

The chairman has also indicated that we had, I gather, full and free debate on this bill and that we acted democratically in voting it out. Technically he is in error. This bill before us has never been before the Committee on Science. We have never had a chance to vote on it. It was not reported by the Committee on Science. If it had been, it would have been subject to a point of order, as the distinguished member of the Committee on Rules on the minority side pointed out.

What we did do is have a varying degree of debate over varying portions of this bill, and when these portions were voted out, as they were, then they were put together after the bill had left the committee and taken to the Committee on Rules and asked for their blessing, which they got. I do not disapprove of that. But by no means have we, as the chairman said, had full and free debate on this bill. Now if he had intended to say that we had free and full debate on most of the components

of this bill when they were reported out of the committee, I would of course agree with him, but not on the statement that he made here.

Now, as to whether or not we should be influenced by the Senate prospects, normally I would agree. We voted out in previous years a lot of bills which we knew from historical experience over a decade the Senate would not take up, but we knew it was right to vote them out. We voted them out and then we used every device that we could, including the obviously inadequate efforts of the then chairman, to get the Senate to consider these bills.

If the current chairman believes that there is a realistic chance, and I hope he is correct, then I would pledge my full support in going with him or doing anything I could, either opposing him or supporting him, as would do the most good, to get the Senate to act on this package or any version of it, to separate it and send it out and act on a separate portion.

The chairman has never approached me about that. I do not see from his performance during the first part of this year that he intends to ask for any help in doing that. I think that I have, based on the experience with similar problems, some right to advise him in all good conscience that I doubt if he is going to succeed. But if there is a chance, I would like to help him.

Mr. QUILLEN. Mr. Speaker, I reserve the balance of my time.

Mr. BEILENSON. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio [Mr. TRAFICANT].

(Mr. TRAFICANT asked and was given permission to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, I have several amendments to the bill, one that I have been working on for many years.

I believe we have come to some language that might make it a part of law.

Let me start out by saying I wish the gentleman from Pennsylvania [Mr. WALKER] the best. I am familiar with the years I have been here of his steadfast determination, and I have really no complaints. On some of the policy issues that we might have, that is understandable. But I think we need a strong leader in this particular field. I would hope that the gentleman from California [Mr. BROWN] and the gentleman from Pennsylvania [Mr. WALKER] can get together for the best interests of our country.

The first one says, though, "Look, we've got a big NASA here, it's not on the Moon anymore, it's lost a little bit of luster," and one of the reasons we have a rough time coming up and stabilizing the funding is not everybody has a piece of NASA like we do with the Pentagon.

The Traficant amendment says to the greatest extent practicable, when NASA is going on and developing new initiatives where it does not hurt NASA, they should look at commu-

nities diversely around our country and spread those opportunities of NASA around and get more of a constituency, if you will, and more of a support base.

□ 1200

Mr. WALKER. Mr. Speaker, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Speaker, I want to tell the gentleman that we are prepared, when the gentleman offers that amendment, to take that amendment. I think it is an excellent addition. We are prepared on this side to take that amendment at the appropriate time.

Mr. TRAFICANT. Mr. Speaker, I appreciate that. The second amendment, I am not so sure. The third one is a straight Buy American language we have had in many, and I do not think that is a problem, but I think we come to an impasse on the second amendment.

Mr. Speaker, the second amendment deals with the issue of technology transfer.

The budget cuts are real. There has to be some cuts. R&D in America has taken some hits. But there has been a participatory joint R&D program with the private sector in NASA, and now we are coming up under new technology-transfer initiatives, unrestricted disclosure.

The Traficant amendment says when there is a joint R&D program, and in fact NASA is determining to, in fact, release certain undisclosed, unrestricted information, that at the request of the company, who is also a participant in the funding of it, that the NASA Administrator would not release into a period not to exceed 5 years.

Now, before everybody panics over this, if the NASA Administrator who still has the discretion would believe that it is not as significant as the concern of the company, that may only be a short period of time. But the Traficant bill says in order for it to be a 5-year holding back of this release of this information that there would have to be a 50-percent contribution in the private sector. I think language could be worked out here.

Let me say this. American industry needs some protection here. They are coming up and ask to spend more and more of their dollars in R&D, and the long-range R&D is going to be coming from overseas. Let us be careful.

Mr. Speaker, the Traficant language says when our economy can be endangered, the private sector entities would be endangered by that disclosure, that they have a right to request this action, and it could be granted. The Traficant language says that the Administrator, on the request of a private sector entity, shall delay for a period not to exceed 5 years the unrestricted public disclosure of technical data in the possession of or under the control of the Administrator that has been

generated in the performance of experimental, developmental, or research activities or programs funded jointly by the administration and the private sector entity.

Further on in there it does state for it to be the maximum of 5 years there has to be a cost-sharing factor of 50 percent. It still leaves open the discretion, it still gives that opportunity, and let me say this:

Those industries that would be adversely affected by premature disclosure of any sensitive research information must get some consideration. This technology-transfer amendment would require NASA to notify Congress as well annually of all determinations that withhold sensitive data from premature disclosure.

Mr. Speaker, I think it is time we provide American industry with some assurances that their sensitive research efforts will be protected, not be compromised. I believe there is language that makes sense, and I am hoping that we can come to some common ground. I believe this is an important issue in technology transfer.

Mr. BEILENSON. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. QUILLEN. Mr. Speaker, I, too, yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. HEFLEY). Pursuant to House Resolution 234 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2405.

The Chair designates the gentleman from Georgia [Mr. KINGSTON] as Chairman of the Committee of the Whole, and requests the gentleman from Connecticut [Mr. SHAYS] to assume the chair temporarily.

□ 1204

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2405) to authorize appropriations for fiscal years 1996 and 1997 for civilian science activities of the Federal Government, and for other purposes, with Mr. SHAYS (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. Pursuant to House Resolution 234, the bill is considered as having been read the first time.

Under the rule, the gentleman from Pennsylvania [Mr. WALKER] and the gentleman from California [Mr. BROWN] each will be recognized for 30 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Chairman, I yield myself 12 minutes.

Mr. Chairman, I am pleased to bring to the floor today H.R. 2405, the Omnibus Science Authorization Act of 1995. This legislation represents the work of the Science Committee begun last winter with the authorization hearings and culminating in the reporting of seven separate authorization bills.

Authorizations totaling \$21.5 billion for the core research activities of seven agencies are provided in H.R. 2405. Those agencies are: the National Science Foundation, the National Aeronautics and Space Administration, the Department of Energy, the National Oceanic and Atmospheric Administration, the Environmental Protection Agency, the technology programs of the Department of Commerce, and the United States Fire Administration. This amount represents a reduction of \$2.4 billion from spending at current levels, but increase spending on targeted basic research.

We are considering these authorizations as seven titles in one bill in an attempt to bring to the House a comprehensive civilian science spending and policy bill. Considering these bills as a whole, rather than as separate pieces, clearly illustrates the themes of emphasizing basic research and fundamental science that the Committee on Science has stressed over the past 9 months.

First, the committee believes that a strong basic research foundation is essential to the future of our Nation. Basic budget realities dictate that we follow this course. We do not have the luxury, and it is not a wise use of resources to continue steering taxpayer dollars in the direction of applied research which can, and should, be market-driven and conducted by the private sector.

Second, the committee took seriously the mandate to achieve a balanced budget by the year 2002. We recognize that as important as this Nation's science and research efforts are to our future, every sector of the government, including science, must make sacrifices so that the economy can be improved for all of our citizens.

Opponents of this measure will tell you that they did not feel bound by the limits set by the House Budget Committee. I can assure you, Mr. Chairman, that the majority of the members of the committee took those limits very seriously, and made the tough choices that were necessary for us as authorizers to contribute fully to the budget and appropriations process. We approached the task of trimming spending from those programs which have outlived their usefulness and from those which may have proven their worth, but which, we believe, can get along with less of an increase than had been requested by the administration. We also followed several criteria: Research should be focused on long-term, noncommercial research, leaving economic feasibility and commercialization to the marketplace; Federal funding research and development should

not be carried out beyond demonstration of technical feasibility; revolutionary new ideas that make possible the impossible should be pursued; the Federal Government should avoid funding research in areas that are receiving or could receive funding from the private sector; government-owned laboratories should confine their in-house research to areas in which they have no peer; and research and development programs should be tightly focused on the agency's stated mission.

The chairmen of the four subcommittees will each be describing the sections of the bill for which they are responsible, but I want to touch on several provisions which I believe to be significant and which demonstrate that the Science Committee's decision that we should make the difficult decisions responsibly.

The 2-year authorization for the National Science Foundation provides for 3-percent growth in the research activities account which funds the real work of the foundation in the second year, while freezing salaries and expenses of the bureaucracy. We have directed that the agency streamline its bureaucracy by at least one directorate, and we have funded other accounts at, or more than, the President's request.

Understand that. We put the emphasis in this agency on basic research. What we said was it was high time that we begin trimming bureaucracy in government in favor of doing real programs. This puts the money in programs and tells the agency that they have got to take some money out of bureaucracy.

Two weeks ago the House passed an authorization for the construction of the international space station H.R. 2405 authorizes the remainder of NASA's budget for fiscal year 1996 at \$11.5 billion, and refocuses NASA's priorities towards basic research, human exploration, and space science. And, we have begun the process of getting NASA out of the business of operating mature systems, such as the space shuttle, and utilizing new funding resources in programs like Mission to Planet Earth by tapping the private sector's expertise.

The committee's authorization for the Department of Energy's civilian energy research and development programs cuts \$960 million from the current year total of \$5.21 billion. Within that cut, however, we protect and enhance basic research. By eliminating corporate subsidies and low-priority programs, and streamlining the bureaucracy, we have been able to increase funding for life sciences research, basic energy sciences, and high energy and nuclear physics.

A strong EPA research and development program is critical to providing the needed information needed to make reasonable regulations. We have preserved that essential research mission by eliminating program which duplicate research conducted by other agen-

cies and eliminating corporate technology subsidies.

In the area of technology, we have reasserted our strong commitment to the priority of the core scientific work of the National Institute of Standards and Technology, yet another example of where we have been able to refocus an agency to its primary mission.

The U.S. Fire Administration, which oversees the important fire training and prevention programs, has been funded at \$28 million for each of the next 2 years, nearly the entire request that the President made of us.

In closing, Mr. Chairman, I thank the four subcommittee chairs—Mr. SENBRENNER, Mrs. MORELLA, Mr. ROHRBACHER, Mr. SCHIFF—and the vice chairman of our committee, Mr. EHLERS, for their hard work and dedication to this process. I also want to commend all the other members of the committee or both sides of the aisle who assisted in moving this legislation through committee and to the floor. H.R. 2405 is a bill which is fiscally responsible, yet keeps the U.S. science enterprise healthy and vital. I urge support of the legislation.

Mr. Chairman, I reserve the balance of my time.

Mr. BROWN of California. Mr. Chairman, I yield myself 5 minutes initially.

Mr. Chairman, I rise today in strong opposition to H.R. 2405 and in opposition to the overall direction that the Republican leadership has laid out for our Nation's research and development program. If there is any doubt about what the future holds for American science and technology, my colleagues should pay close attention to the debate over this bill.

But I would like to say just parenthetically, Mr. Chairman, that, unless we have an awful lot of Members assiduously sitting in their offices watching the television screen, that we currently have on the floor less than 10 Members. So, we are not going to have a vigorous exchange of views, which is conducive to broad-scale understanding of the policy issues involved here.

Now in part the reason for that is that most of the Members have said to themselves: Why should I go down and listen to a debate over a package of authorization bills when we have already passed the appropriations bills and these actions that we take probably will be of little consequence? The action that we take today, the importance of that action, is not based upon whether we pass the authorization bill or not. As a matter of fact, this debate is about the ideas which are contained here which are of vital importance to the future of our country. It is about how research and development can be brought into the mainstream of economic policy. It is about whether we will make the investments today to contribute to our economic growth in the future.

□ 1215

I also want to make sure that this is not and should not be a partisan debate. Indeed, research and development has been one of the strongest areas of bipartisan agreement between the two parties over the past 50 years. Many of the programs that have been targeted in this bill are the results of such bipartisan agreement. Many of them are programs that were initiated by the past two Republican administrations. I strongly supported those programs then, and I will continue to do so today.

As a matter of fact, I participated in the effort to convince these past two Republican administrations that this was the correct direction to move in, and those arguments were successful because they came not just from Democrats but from Republicans, from the business community, from the research community, and from many others.

Mr. Chairman, what is different today than in the past is the extremism that has made its way into the thinking of the Republican leadership and the Republican planning process. The decisions that have been presented to us by this bill have nothing to do with whether science is good or science is bad, but whether it passes the ideological litmus test of the Republican leadership.

Thus, I again stress that this should not be a partisan debate, but the issue has, much to my regret, been politicized. It would be profoundly misleading to call H.R. 2405 an authorization bill for science programs. Rather, it is a deauthorization bill. It is a first step toward the most significant postwar reduction in science funding ever proposed.

Mr. Chairman, I have a chart here which I think will illustrate the point very well. On this chart, as Members can see, the bottom line is that it shows a 33-percent decline in R&D over the next 5 years, R&D in those areas represented in this bill, which, as I indicated earlier, actually is only about a one-third of the total R&D investment of the Federal Government. But these are the components that are included in the bill, and as Members can see, after the year 2000, the next 5 years, these are all drastically declining.

I wish I had the chart, we had the information, as to what is happening with the other two-thirds of R&D: the military, health, and certain smaller portions such as agriculture. These are continuing to either slightly increase or to remain relatively stable. Therefore, the first question that comes to my mind is what is so bad about the science programs within the jurisdiction of the Committee on Science that they have to take a one-third cut while the other two-thirds are not.

Mr. Chairman, the Republican budget resolution which was adopted earlier this year included this 33-percent reduction in science programs within our committee over the next 5 years. The bill before us today is the first install-

ment in that planned disinvestment. It is ironic that the Republican plan requires that in order to pay for a tax cut, we must sacrifice the very things that we know lead to long-term economic growth.

Mr. Chairman, I am not just trying to parrot a catch phrase here. In developing alternative bills in the committee to the Republican bills, we recognized that it was imperative to do so within the framework of a budget philosophy that would balance the budget within 7 years. We did that. We did not choose to make the tax cut within our budget; we adopted the philosophy of the conservative coalition budget, which calls for balancing in the 7-year period, but does not provide for the tax cut which is in the Republican budget.

As a consequence, we were able to provide in our alternative, which the Members will get a chance to vote on, funding for all these programs at a somewhat higher level; not as much as the President proposes, certainly not as much as we spent last year, but not as severe a cut as we see in the figures before us on this chart.

Mr. Chairman, over the past several decades there has been widespread agreement among economists that between a quarter and a half of all improvements in economic growth is attributable to technology development; the technology is represented by these programs, as a matter of fact, and not necessarily so much the technology developed in the military programs, which are generally rather special purpose. R&D is an investment in the Nation's future. Although deficit reduction will remain the foremost national priority, this is only one element of improving the national economy. Deficit reduction by itself, valuable as it is, could slow the economy, unless accompanied by investments such as those in research and development and certain other specific infrastructure investments. It is highly illustrative to look at what reductions in this bill hit the hardest.

I would like to show the next chart at this point. In this chart, we are able to see the differences between the cuts received below 1995 or increases for the various categories, including, as I have referred to earlier, the defense and the health sciences, the first two. These, as you can see, receive an increase in funding above the 1995 level.

All of the rest of these are cut in various degrees. Commerce is notable for the fact that it takes the largest cut. Interior takes the second largest cut, and the fact is that the Committee on Commerce programs have been found to be not politically correct by the Republican leadership, and they have, of course, suffered the consequences.

Mr. Chairman, there is no question that these major cuts have been focused on programs which involve technology partnership with the private sector. In the opinion of the Republican leadership, this is not good science and, therefore, they are going

to cut it to the bone, or eliminate it if they possibly can. We will have some further discussion of that a little later on.

Of all of our expenditures in R&D, those that involve cooperation with the private sector, those which basically were programs that came out of the 1988 trade bill and the advanced technology programs of that trade bill, are the ones which will make America more productive and will help us to come out of the slump that we are in. There is a similar agenda for environmental research and development. The fact is that that is being drastically cut. Much of the energy research is being cut, because it is considered to be applied.

Mr. Chairman, I will present one more chart here to give the broad picture. The real reason that there is an advanced technology program in the 1988 trade bill is because we found that other nations of the world were taking global market shares and we were not, and that there was a direct relationship between this and the amount they were investing in research and development.

This chart gives us an illustration of what will be the comparison between us and Japan between now and the year 2000, based upon budgets and plans already announced in Japan, compared with the Republican budget resolution, which is the same picture as I showed before: a one-third decrease in these programs. In Japan they are proposing a doubling of their investment.

Mr. Chairman, it takes a few years for these kinds of investments to pay off. Our investments during the period after World War II is what gave us the leadership in the world in terms of competitiveness. It was our failure to maintain that rate of growth, while Japan and Europe, as well as other Asian countries, continued to increase theirs. That began to disturb our balance of trade. We hope that we will not have the bad sense to continue to follow the path laid out here, because I can assure the Members that it will be devastating to our economic future.

Mr. Chairman, I will not belabor the remainder of the remarks here. I have previously asked approval to put them in the RECORD, and we will have further discussion of them as we proceed with the debate.

We now spend about 2.4 percent of the GNP on R&D. Japan spends nearly 3 percent and in July of this year announced a national plan to double this by the year 2000. This will be in stark contrast to the Republican plan to decrease our civilian research by over 30 percent during the same period.

I know that we will hear many arguments during the course of this debate that seek to rationalize these reductions. Most of them are based on nothing more than sloganeering—by calling R&D by other names such as “corporate welfare”, “applied research”, “bureaucratic overlap”, and so on.

In particular, Republicans have repeatedly justified their reductions by claiming that these undesirable areas of research have been cut

in order to fund basic research. There is even a claim that this bill increases basic research. Nothing can be farther from the truth. The fact of the matter is that this bill cuts basic research below fiscal year 1995 levels and dramatically below the request level. The Republican claim is only possible if one actually redefines the term "basic research" in some way other than the current convention used by the OMB, the administration, and the science agencies. The only area of basic research that is being increased is NIH which is not in this bill.

Clearly, the distortion is intended to assure the University community that their research will be protected. The fact of the matter is that it is impossible to inflict a 33-percent reduction in R&D over the next 5 years and not cut basic research. Indeed, it cannot even be done this year.

The distinction between basic and applied research is, of course, convenient for budget cutting purposes but it is meaningless as a public policy and reveals a profound lack of understanding on the part of the Republicans of what basic research really is and how basic and applied research is related.

We will also hear today that the research that is being eliminated can and should be done by the private sector. Privately owned companies are completely oriented toward maximizing a return on investment. Research that may take years to mature has become an increasingly poor investment for most companies. The Republican assertion that the private sector will somehow step in to take up the slack is sadly out of touch with reality.

On May 22 of this year, the Wall Street Journal reported the disturbing news of a sharp decline in industrial research and development over the past 4 years. Spending among AT&T, GE, IBM, Kodak, Texaco, and XEROX—giants in the high-technology industry—declined by 30 percent since 1990. This is all associated with the emerging corporate imperative to achieve a favorable short-term return on the stockholders' investment. Federal R&D policy simply cannot ignore this reality and must adjust to it with the type of Government-industry partnerships that were conceived by the Bush and Clinton administrations.

I will close by stating my intention to offer a substitute to this bill at some point later in the process. Although this will no doubt be called the Brown substitute or the Democratic substitute I want to be clear on the fact that this substitute is nonpartisan in every conceivable way. Indeed, my substitute is a simple attempt to maintain at some minimal level the investments in R&D that have had wide bipartisan support in the past. The bulk of my substitute is, in fact, the result of initiatives begun during Republican administrations.

Indeed it was only in February 1992 when all 20 Republican members of the Science Committee, including the present majority leadership, set forth their independent views and estimates for the Budget Committee strongly advocating a 2-percent real increase in civilian R&D. Their submittal stated:

Surely, a 2% real increase in civilian R&D can be accommodated within a \$1.5 trillion budget pie. To not make this investment would be irresponsible and ultimately lead to catastrophe.

They were right then and could well make the same case today.

I will ask my colleagues on both sides of the aisle to join me in supporting this substitute.

Mr. Chairman, I reserve the balance of my time.

Mr. WALKER. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. SENSENBRENNER], chairman of the Subcommittee on Space and Aeronautics of the Committee on Science.

Mr. SENSENBRENNER. Mr. Chairman, let me begin by commending the gentleman from Pennsylvania for his leadership of the Committee on Science during this 104th Congress. Because we must balance the budget and restore financial discipline to the Federal Government, all discretionary accounts are experiencing new fiscal pressures. Consequently, we must prioritize programs and discontinue those functions that the private sector can take over from Washington. Under the gentleman from Pennsylvania's leadership, all of us on the Science Committee have worked to accomplish this task and focus our civil science expenditures on those activities which only the Government can perform and which have the largest long-term benefits to the country. H.R. 2405 meets these goals by focusing on basic research and fulfills the responsibility Congress has to ensure that tax dollars are spent wisely.

Mr. Chairman, American science is undergoing a profound change. Government set up the modern scientific establishment right after World War II and the organization of the scientific enterprise reflects its cold war origins. Since that time, we've always worked to increase the science budget. As a consequence, many activities that would defy our traditional definitions of proper scientific activity have been funded by the Federal Government, including corporate welfare and questionable behavioral disciplines. Recently in the weekly research journal, *Science*, two social scientists experienced in Federal funding of science wrote that "the social contract currently governing U.S. science is an obstacle to needed changes in science policy. This policy cannot realistically justify large science budgets. The situation demands more than a defense of the status quo—if faced constructively, it is an opportunity to develop a sounder social contract, to develop an ecology in which science can thrive."

H.R. 2405 is the first step in developing this new contract. We elevate science's profile in the Federal Government by considering Federal civil science activities as whole, as this bill does, rather than as a collection of separate and unconnected programs. Similarly, H.R. 2405 will help us better integrate science into the very fabric of society by encouraging greater public-private partnerships to achieve our scientific goals. For example, title II of the bill, which authorizes funding for NASA, includes funding and authority for unique government-industry cooperation to develop new space launch vehicles that place industry in the

leading role. Similarly, title II begins privatizing certain functions of NASA that the private sector is providing, such as airborne microgravity experiments. By taking these steps, we can better leverage Federal and private dollars in pursuit of the national interest, saving taxpayer resources in the short and long term.

By passing H.R. 2405, Congress will send the message that we are serious about balancing the budget and that we are going to do so intelligently by focusing on those programs with the greatest need for Federal dollars and the greatest benefit to the Nation. H.R. 2405 is an important step in the process of ensuring the long-term health of the scientific enterprise by cutting out fat and waste while improving our commitment to basic research. Please join us in passing this bill.

Mr. BROWN of California. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Ms. JACKSON-LEE].

(Ms. JACKSON-LEE asked and was given permission to revise and extend her remarks.)

□ 1230

Ms. JACKSON-LEE. Mr. Speaker, I thank the gentleman from California [Mr. BROWN] for yielding me this time, and I certainly adhere to some of the instructive remarks that he has made.

Mr. Speaker, I think we come to this issue hoping for a bipartisan approach, for who can be against research and development that basically is the underpinnings of the work of the 21st century. Certainly it has been the hallmark of this Republican Congress that has been controlled by this party for a couple of months that in everything, small is better. Many productive and useful activities of this Government have been cast aside in the blinding light of that irrational ideology. If the United States is going to continue, however, its preeminent role in technology and commerce, then we must not allow the decimation of our scientific establishment.

Basic science research has been the driving engine in the prosperity of our country for the past 50 years. Why only yesterday, two of America's most prominent physicists won the Nobel Prize. With the more than obvious beneficial results of such investments as federally funded research, it is incomprehensible to me that my Republican colleagues are so eager to cut one of the best returns on investment we can make.

Mr. Speaker, numerous studies have indicated that up to one-half of all U.S. economic growth is directly attributable to the introduction of new technology. I entreat my colleagues that this is in fact an important debate, and that we should come to the House Floor in droves, for this talks about where this country will be in the 21st century. Do we want to slash and cut research and development that has been the very backbone of many of the discoveries in this world?

It has been stated by the Republican majority that this bill is cutting R&D spending by only 12 percent, while actually raising the overall level of basic research by 1 percent. What they have not said is that based upon the budget resolution which the Republican Party led the fight for, there will be a 33 percent decline in Federal research funding from now until the year 2000. The recipients of this precipitous decline include NASA, NSF, DOE, the principal torch-bearers in our R&D advancement.

These same Republican colleagues say that they are supportive of basic science, cutting only what they deem to be applied. Well, based upon the facts, I have serious reservations concerning the definitions of both basic and increase. Using OMB definitions, H.R. 2405 does indeed cut fiscal year 1996 spending on basic research, which has been basically what has driven this country.

Federal R&D investment has been the backbone, because private sector companies have stopped their long-term R&D investment. We realize that if we are to continue in this manner, if we are to have a future for our children, the elementary school children, the secondary school children and our colleges, the Government must play a part in research and development. There is nothing wrong with that.

Yes, we must bring the budget down, and we have an alternative that I hope we will be able to support that responds to bringing the budget deficit down, but does not steer us away from research and development, creating jobs for America in the 21st century.

In closing, let me say that I want to remind my Republican colleagues of their former President, our former President, the advice that President Ronald Reagan gave us. He said, "America has always been greatest when we dare to be great." Let us be great with R&D, and let us make sure that we keep support of a very important opportunity in our country.

Mr. PETE GEREN of Texas. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE. I yield to the gentleman from Texas.

Mr. PETE GEREN of Texas. Mr. Chairman, I thank my friend for yielding time to me.

Mr. Chairman, the Basic Research Subcommittee developed the provisions of titles I and VII of H.R. 2405, which authorize the activities of the National Science Foundation and the United States Fire Administration, respectively. These are small agencies with a disproportionate impact on the well being of the Nation.

The National Science Foundation plays a key role in developing and sustaining America's unparalleled academic research enterprise. It is the only Federal agency with the sole mission to support basic science and engineering research and education in the Nation's schools, colleges, and universities. Its programs support individual

faculty members, postgraduate research fellows and graduate students; the operation of national research facilities; the modernization of scientific instruments and research facilities; and science education at all levels of instruction.

Although NSF represents only 4 percent of the Federal R&D budget, the agency provides one quarter of all Federal support for academic basic research. This support makes major contributions to disciplinary research, including, for example, more than 40 percent of Federal funding for mathematics research and one-third of the funding for both the Earth sciences and the nonmedical biological sciences.

In addition, NSF is an important participant in multiagency research efforts in areas of strategic importance to America's technological strength. For example, NSF provides approximately 30 percent of the total funding for the High Performance Computing and Communications Program. This major Federal-university-industry research initiative provides the technical underpinnings for the emergence of the National Information Infrastructure.

Finally, NSF plays a large role in precollege and undergraduate science and mathematics education. The foundation supports programs of model curriculum development, teacher preparation and enhancement, and informal science education.

A direct linkage exists between these wide-ranging research and education activities and the long-term economic health and well being of our country. These programs generate the new knowledge and produce the human capital needed to fuel a technologically-based economy. Ultimately, the success of NSF's programs are reflected in such concrete ways as the productivity of the Nation's workforce.

The NSF authorization in H.R. 2405 attempts to maintain the core research and education programs of the foundation in a difficult budget climate. I share the commitment of many of my colleagues to achieve a balanced budget over the next 7 years and realize that even the most valuable Federal programs, such as NSF's research activities, must bear some of the pain of achieving this goal.

Although the bill lowers funding from fiscal year 1995 levels, it is an allocation that provides relatively gentle treatment for NSF in a year in which many Federal science and technology programs authorized by the Science Committee have experienced severe cuts. In addition, some funding increases are provided by the bill in the second year that will bring the NSF research directorates back to the fiscal year 1995 funding levels.

The bill also addresses the question of how to ensure a wise allocation of resources in stringent budget times. A requirement is included for NSF to develop and submit to Congress annually a clear statement of the agency's goals. The annual multi-year plan is intended to highlight expected areas of program emphasis, including research initiatives under development, and contain criteria and procedures for assessing progress toward defined goals. A related requirement calls for the development and periodic updating of a plan for new construction of NSF's national research

facilities, such as telescopes, and upgrades to existing national facilities. These two requirements will assist Congress in determining priorities to ensure that the resources allocated to NSF are used for maximum benefit.

The other major provision of H.R. 2405 which was the product of the Basic Research Subcommittee is title VII, which authorizes the U.S. Fire Administration. This agency has long enjoyed bipartisan support in Congress because of its vital mission to improve the safety of all our citizens. The agency supports training, research, and public education efforts which have advanced public awareness of fire safety practices, and have improved the effectiveness of fire services and home fire safety devices. Much has been accomplished, but the record of fire death rates and property loss in the Nation reveals that much remains to be done.

The bill authorizes funding for the important programs of the U.S. Fire Administration at a level very close to the President's request. This is a significant accomplishment because of the severe downward budget pressures on all Federal agencies and activities. In light of the current budget climate, I am pleased that the committee has developed a bill that will sustain the important programs of the Fire Administration.

Mr. Chairman, I want to acknowledge the open and collegial approach taken by the chairman of the Basic Research Subcommittee, Mr. SCHIFF, in developing titles I and VII of H.R. 2405, and am pleased to join him in commending these measures to the House for its favorable consideration.

Mr. WALKER. Mr. Chairman, I yield 6 minutes to the gentleman from New Mexico [Mr. SCHIFF], chairman of the subcommittee on Basic Research.

(Mr. SCHIFF asked and was given permission to revise and extend his remarks.)

Mr. SCHIFF. Mr. Chairman I rise in support of H.R. 2405.

I would like to thank my chairman, BOB WALKER, for his tireless efforts on behalf of science as evidenced by this omnibus science bill before the House today. This legislation for the first time attempts to focus the House's attention at one time on most of the civilian research and development programs supported by the Federal Government.

I also want to thank the ranking minority member, Mr. BROWN and my subcommittee ranking member, Mr. GEREN, for their hard work in bringing this bill through the Science Committee.

Beginning in February of this year, the Science Committee and its subcommittees have held a number of budget and oversight hearings and markups on the separate pieces of legislation that have been rolled into this omnibus bill. The process has been very fair and thoughtful, and the result is good legislation which reauthorizes many important programs while staying within the budgetary constraints established by the budget resolution. This legislation demonstrates that

Congress' dual responsibilities of balancing the budget and supporting important Federal research and development programs are not mutually exclusive—indeed, they are supportive because they force us to become more efficient and to prioritize.

I am proud of the role my Subcommittee on Basic Research has contributed in creating this legislation. Responsible for the authorization of the National Science Foundation and the Federal Emergency Management Administration's [FEMA] fire programs, the subcommittee worked on a bipartisan basis to complete 2-year authorization bills, H.R. 1852 and H.R. 1851, respectively.

The Basic Research Subcommittee's legislation was incorporated into H.R. 2405 as titles I and VII. I would like to focus my remarks on those two titles.

The National Science Foundation [NSF] is the principal supporter of fundamental research and education conducted at colleges and universities in the fields of mathematics, science, and engineering. The NSF accomplishes this through grants and contracts to more than 2,000 colleges, universities, and other research institutions in all areas of the United States. The NSF accounts for approximately 25 percent of all Federal support to academic institutions for basic research. As chairman of the Science Committee and vice-chairman of the Budget Committee, Mr. WALKER has voiced his strong support for basic research. I share these views, and title I of H.R. 2405 reflects this strong support.

In addition to budget authorizations for fiscal years 1996 and 1997, there are provisions in this bill on prohibition of lobbying activities, financial disclosure of high-level employees, protecting Reservist and National Guard personnel recalled to active duty, and assigning to the White House Office of Science and Technology Policy the task of finding ways to further reduce indirect costs.

I would like to point out that in these difficult fiscal times, NSF was affected very little by the budget resolution in fiscal year 1996. In fact, the budget resolution's assumptions provide for growth in the research and related accounts at NSF of 3 percent per year after 1996, which is reflected in title I of this bill for fiscal year 1997.

It is important to state here that the science community needs to recognize that the majority in both the House and the Senate, are supportive of basic research. Members understand that basic research is essential, that it is an appropriate Federal activity, and that it is an economic driver. The Science Committee is acutely aware of the importance of basic research, and so worked to preserve funding even as other Federal programs have been cut to meet aggregate budget requirements.

I would now like to address title VII of H.R. 2405. This is the part of the legislation which authorizes the United States Fire Administration [USFA] and includes funding for the National Fire Academy [NFA]. The USFA performs a vital function for our country, one that saves lives and property. H.R.

2405 incorporates the funding levels reported by the subcommittee and full committee which are sufficient to enable this agency to accomplish its mission.

Like the NSF, and USFA was affected very little when one considers the tight fiscal constraints under which we are operating. The authorized level is about 3 percent lower than the administrations' request, and we have preserved all of the essential functions and activities of the USFA and the Fire Academy.

Before closing, I would like to discuss the titles over which my subcommittee did not have jurisdiction, but which are equally important. Title II of the bill is the reauthorization of the National Aeronautics and Space Administration [NASA], minus funding for the space station, which has been reauthorized in separate legislation previously passed by the House. H.R. 2405 makes much needed reforms in the way NASA operates, primarily by refocusing its mission on basic research, space science, and human exploration of space.

The NASA provisions of this legislation require the agency to develop plans to privatize the space shuttle. This effort could save taxpayers more than a billion dollars over the next 5 years. At the same time, the bill continues NASA's next generation reusable launch vehicle program. This very important program will help to develop a commercially viable launch vehicle that will ensure U.S. leadership in space transportation. A subscale model of such a vehicle is currently being tested in New Mexico. The Delta Clipper or DC-X has been successfully launched several times and shows amazing promise. Given the future significance of space commercialization and space transportation, I am hopeful and optimistic that this program will be pursued vigorously and successfully.

Title III reauthorizes the civilian research and development programs of the Department of Energy [DOE]. These programs include some extremely important research that will help to enable this Nation move toward energy independence. Research programs in solar and renewable energy, nuclear energy and fusion, and advanced fossil fuels extraction methods are important for national security as well as economic security. Advances in these areas and others will help the United States to become free from relying on foreign sources of oil.

Another DOE-sponsored activity covered under this title is human genome research, ongoing at Los Alamos National Laboratory in New Mexico and at other sites. This research, which includes mapping the human genetic code, may be the key to the discovery of a cure for cancer and other devastating diseases.

As a Member who represents a State with two world-class national laboratories involved in energy research, I

personally hope that funding levels for the programs in this section will be increased while staying within a balanced budget as we continue through the budget process. But, I am confident that title III of H.R. 2405 preserves the essential energy research and development programs necessary to move this Nation forward.

Titles IV and V of the bill authorize the National Oceanic and Atmospheric Administration's [NOAA] and the Environmental Protection Agency's [EPA] research and development programs and provide for the continuation of important programs within NOAA's atmospheric and ocean research activities and EPA's air and water quality research activities, while staying within the constraints of the budget resolution.

Finally, title VI of H.R. 2405 provides for continuation of the essential research activities of the National Institute of Standards and Technology [NIST] and the Office of Technology Administration within the Department of Commerce. NIST provides technical assistance to industry through the development of measurements and standards as well as a wide range of technology services such as standard reference materials and data, information on national and international standards, laboratory accreditation, equipment calibration, and evaluation of inventions. The NIST laboratories conduct essential basic research on infrastructural technologies such as new measurement methods.

In the likely event that the Department of Commerce, the current Cabinet-level home for NIST, is eliminated, NIST needs to be preserved either as an independent agency or housed in some other Cabinet-level department. While the Congress is not likely to create another Federal agency because of budget constraints, I think we should further explore the concept of a Department of Science to house NIST and all other Federal civilian science activities. By consolidating these programs into one agency we will ultimately save money and eliminate bureaucracies.

Chairman WALKER, thank you again for all of your hard work on this bill. I urge my colleagues to support its passage.

Mr. BROWN. Mr. Chairman, I yield 3½ minutes to the gentlewoman from California [Ms. LOFGREN].

Ms. LOFGREN. Mr. Chairman, I rise to oppose the bill H.R. 2405, the so-called Omnibus Civilian Science Authorization Act of 1995, as it exists now. The bill has a grandiose title to mask its pernicious effects on the Nation's research and development system. We will hear again and again in this debate how the majority supports research, especially basic research. Would that their rhetoric was matched by their legislative language.

Otto von Bismarck once warned that those who liked laws and sausages should watch neither one being made. This bill offers a stellar example of this principle. The legislation we consider here is not the product of in-depth consideration by the Science Committee. It is, rather, a large muddle made up of a jumble of small messes—slapped together authorization bills for agencies under our jurisdiction to create the unwieldy morass we are about to debate. If the component titles were more than the product of little thought and even less deliberation, this might be acceptable. H.R. 2405, however, is in the unenviable position of being less than the sum of its parts.

The value of science and technology to the Nation and its people has, for the last 50 years, been an area where both parties have shared a common vision. Many economists credit innovation with up to half of U.S. economic growth. Both parties have also agreed that the Federal Government played a critical role in maintaining American leadership in these vital areas. The Federal Government has been an early adopter of new technologies; ask Cray Supercomputer how long it took their market to broaden beyond the Department of Energy and the Department of Defense. The Government joined with industry to improve existing technologies or to adapt them to new needs. After the war, the Government injected vast new resources into the Nation's universities and reaped a network of laboratories and a supply of talent that is the envy of the world.

Until now, H.R. 2405 marks wholesale retreat from this bipartisan consensus. The majority cry is, "Less will be more." That's unlikely. The cost of maintaining leadership is not shrinking, it is rising. Indeed, in some fields we have admitted that we cannot afford to maintain progress with our resources alone.

Mr. Chairman, there will be an amendment in the nature of a substitute offered to correct the shortsightedness that permeates H.R. 2405. The substitute recognizes that every element of Federal activity will be squeezed in the effort to balance the budget, but that reducing investment in future productivity is the worst of all possible ways to do this. The substitute will authorize less spending than that actually spent in fiscal year 1995. It is less than the President requested for fiscal year 1996. But it is above the level authorized in H.R. 2405.

Historians mark the zenith of the Confederacy as the day Pickett's soldiers charged into the teeth of Union cannon on Cemetery Ridge on July 3, 1863. At least they died with guns blazing and on the attack. With H.R. 2405, the majority furls our flag and skulks from the field. We should not be surprised if history records the end of American scientific and technological leadership with the passage of this bill.

Mr. Chairman, I urge a vote in favor of the substitute to H.R. 2405.

□ 1245

Mr. WALKER. Mr. Chairman, I yield 7 minutes to the gentleman from California [Mr. ROHRBACHER], chairman of the Subcommittee on Energy and Environment.

Mr. ROHRBACHER. Mr. Chairman, simply put, this bill is good for science and good for the taxpayer. Titles III, IV, and V concern agencies under the jurisdiction of the Subcommittee on Energy and Environment which I chair.

The authorization does not mindlessly cut programs across the board, which President Clinton insisted on doing in the continuing resolution. Rather, it follows the priorities laid out in the budget resolution passed by the House in May and puts us on the path to a balanced budget. It preserves funding for fundamental scientific research, while obtaining most of it and most of its budget savings from three major areas, that is, the bureaucracy, market development, and promotion programs, and corporate welfare.

If my colleagues have been reading their mail, they have been reading some misleading statements in the last few days. There have been claims of extremist cuts in research that could lead to all kinds of disastrous consequences. But, of course, there are no specifics included, no details of actual cuts. That is because there are so few specifics to back up these charges.

Instead of name-calling, as Al Smith used to say, let us look at the record. Fact: In the Department of Energy title, basic energy sciences, we see that it has been increased by \$100 million over the fiscal year 1995 levels. At hearings held before my Subcommittee on Energy and Environment in February, every director of a major national laboratory testified in person or in writing that the scientific facilities initiative was their number one research priority for fiscal year 1996. It is fully funded in this bill.

Fact: The \$1 billion general science and research account is reduced from the fiscal year 1995 levels by exactly 1 percent. How awesome it is that we want to take it down by 1 percent while we are trying to balance the budget.

Fact: Reducing an account called energy supply research and development, or another one, energy conservation research and development, does not mean that we are reducing funds for scientific research.

For example, there are administrative slush funds at DOE that are used to pay for each program's own policy gurus and to hire, get this, to hire expensive outside public relations firms to promote their programs. They are listed under what? That is right, research and development.

Programs to subsidize new heat pumps for the world's largest air conditioner manufacturers are also listed under basic research and development. Programs to subsidize the purchase of alternative fuel vehicles are funded

under what heading? You guessed it, research and development.

In these budgets, the titles are intended to mislead rather than to explain. Do not let anybody tell you that we are cutting basic research.

Fact: Almost none of the massive increases called for by the Clinton administration budget request, and none of them since 1993 for the Department of Energy under this bill's jurisdiction, involve fundamental scientific research. These hikes that President Clinton has been calling for in spending are for market development and promotion programs and for politically inspired programs such as the climate change action plan.

The NOAA authorization has been subject to even more misleading lobbying. Contrary to what you may have heard, H.R. 2405 provides for a 25-percent increase in NOAA's weather satellite program, so this vital needed information and the information gathering program can remain on target.

The National Weather Service modernization program is fully funded. That means that lifesaving doppler radar will be installed on schedule.

Keep in mind that NOAA's budget has increased by over 50 percent in the last 5 years. What we are proposing is that over a 5-year period this growth would come out to be just 30 percent. That is not draconian.

But there are some cuts in this area. For example, we save \$300 million without affecting NOAA's core mission. We accomplish this by eliminating congressional add-ons, eliminating costly procedures for closing old Weather Service offices, and by privatizing the fleet and eliminating the NOAA core corps.

You will hear this called that we are cutting NOAA research. What we are doing instead is saving the taxpayers the \$2 billion that it would cost to modernize the NOAA fleet, which should have been privatized in the first place. Cutting NOAA research? Nothing could be further from the truth.

The NOAA fleet is operated by the NOAA Navy, an anachronistic corps of civilians dressed up in Navy officer's uniforms, receiving military pay and military retirement benefits. This is a throwback to World War I when the mapping of the U.S. coastline was considered a military, not a civilian job. Private charters are itching for the chance to provide the vessels for needed research at lower cost, and we should give them this chance and save the taxpayers some money.

Our mark on EPA has also been under attack, but we have taken great pains to see that the EPA title provides full funding for research that is relevant to EPA's mission. For example, we increased the funding for air quality research.

We get our savings, however, when we are talking about the EPA, by cutting and by looking at politically inspired programs like the environmental technologies initiative which

was put forward by this administration, and the Clinton climate change action plan. Among other things, this program seeks to find out what would happen to fish if global warming is actually a reality. Well, all we ask and all we are trying to fund is the core mission, the research and development core mission of the EPA which we are not touching.

Mr. Chairman, I urge my colleagues to support sound science and a balanced budget by passing H.R. 2405, and for my colleagues to take a close look at some of these charges of what is actually being proposed in our legislation. We protect basic research and development by taking out the frills, taking out nonsensical programs that are not research related.

Mr. BROWN of California. Mr. Chairman, I yield 2 minutes to the gentleman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Chairman, I rise today in strong opposition to H.R. 2405, the omnibus antiscience and anticompetitiveness bill. This is a reckless bill, a shortsighted approach to national priority setting that endangers America's role in the global economy both today and in the future.

As a representative from the Third District of Connecticut, I have the honor of representing one of our Nation's research jewels. Yale University, located in my hometown of New Haven, boasts one of the most advanced scientific research facilities in the world. The work done at Yale and at colleges and universities across America provides an absolutely essential component of our Nation's economic competitiveness by conducting federally funded basic research and applied science.

The knowledge gained by these efforts teams cutting edge scientific breakthroughs with practical applications that point the way toward America's future economic progress. America's economic competitors around the world know well the value of investing in civilian research and development. American jobs in every State in the Union rely on international competitiveness.

Yet the United States invests a smaller percentage of its R&D dollars on civilian research and development than does nearly any of our economic competitors. Mexico, the Philippines, Japan, Argentina, Canada, Italy, Germany, Taiwan, Korea, France, and Britain all surpass America in their investment in civilian research and development.

How can America ensure our future economic competitiveness with this shortsighted approach? The fact that we will still rank slightly ahead of the formerly Communist Czech Republic stands as little consolation for the working men and women of this country whose hard work produces goods and services that are suffering from increased competition from our economic rivals.

We must stand tall for intelligent scientific policy. As the President of

the California Institute of Technology recently wrote, "Without first class science, we can look toward only to a second class economy and second class standard of living." Vote no on H.R. 2405.

Mr. WALKER. Mr. Chairman, I yield 5 minutes to the gentlewoman from Maryland [Mrs. MORELLA].

Mrs. MORELLA. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, with the beginning of this Congress, the Science Committee, under the leadership of the gentleman from Pennsylvania, has engaged in a new process which strives to put us, as an authorizing committee, at the table with the Appropriations Committee and the Budget Committee in the setting of public policy and in directing how our Federal moneys are spent.

As a result, the committee has been exercising our policy setting responsibilities with a strong voice in the funding process. The gentleman from Pennsylvania, as chairman of the committee, has asked all the subcommittee Chairs to produce authorization bills which reflect the House-passed budget resolution, moving us to a balanced budget in 7 years.

We needed to do this because otherwise the committee's authorization might not have been considered credible or realistic in our work product. As difficult as it has been, the committee is being guided by the same budgetary limitations affecting the Appropriations Committee. Accordingly, these budget limitations have forced us to prioritize our Federal spending, resulting in a limitation of our ability to fund every worthwhile program.

H.R. 2405, the Omnibus Civilian Science Authorization Act, reflects the need to prioritize our Nation's scientific research funding under tight fiscal limitations which moves us to a balanced Federal budget. It also incorporates as title VI, the committee-passed version of H.R. 1870, the American Technology Advancement Act of 1995, which provides for the authorization of programs within the technology administration, especially the laboratory functions of the National Institute of Standards and Technology [NIST].

Mr. Chairman, I believe NIST is a well-run agency with a well-defined mission. NIST's mission to promote economic growth by working with industry to develop technology, measurements, and standards is integral to our Nation's competitiveness in the global marketplace. Title VI of H.R. 2405 sends out the strong signal that the core scientific work being done at the NIST laboratories must be a priority.

In addition, NIST's construction account must also be maintained as another priority. Without the necessary renovation and construction of facilities, NIST will simply not be able to adequately fulfill its basic mission in the future. The bill before us today reinforces this priority with its funding

of NIST construction and modernization of its laboratories.

Title VI of H.R. 2405 provides fiscal year 1996 authorizations for the Under Secretary for Technology, for the NIST core programs, and for construction of research facilities. It also contains language permitting NIST to perform important administrative functions. These include: expanding NIST's ability to continue hiring the best and the brightest scientists; permanently extending the NIST personnel demonstration project; increasing the cap on the NIST Postdoctoral Fellows Program; providing authority to give excess scientific equipment to secondary schools; and creating authority for a NIST metro shuttle for employees, among others.

I commend the chairman for his efforts in bringing this bill to the floor and I will support its passage.

□ 1300

Mr. BROWN of California. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Texas [Mr. HALL], the ranking member of the Subcommittee on Space and Aeronautics.

(Mr. HALL of Texas asked and was given permission to revise and extend his remarks.)

Mr. HALL of Texas. Mr. Chairman, I thank the gentleman from California [Mr. BROWN] for yielding this time to me, and of course I rise in support of the Nation's several space programs, and there are many reasons why I take this position. Basically it is because I have seen the benefit that our spending on space exploration has delivered to our citizens over the past 37 years. Communications satellites, weather satellites that are so important in this year of the hurricanes, advanced materials that have led to improved hip and joint replacements, technologies developed for the space program that have absolutely revolutionized medical diagnostic and monitoring devices and so forth; the list is absolutely endless, and I am convinced that our continued investment in the space program will deliver equally impressive returns in the future.

As we debate H.R. 2045, the Omnibus Civilian Science Authorization Act of 1995, I would like to urge my fellow Members to make sure that we do nothing today to hurt the Nation's civil space program. We have tough decisions to make in the midst of difficult budgetary times. However, we should resist the temptation to be penny-wise and pound-foolish when it comes to one of America's most important investments in the future: Our investment in the space program.

As the former chairman of the Space Subcommittee, I have long pushed NASA to streamline its activities and be the best steward it can be of the taxpayers' money. I believe that NASA has responded to the challenge. Many Members may be unaware that NASA—with help from both Congress and the administration—has cut its funding plans by some 35 percent since 1993. In many ways, NASA has led the way in delivering a quality product at the lowest possible cost.

However, I believe that we have cut NASA just about as much as we can. To make any more cuts to NASA's budget runs the risk of unraveling all of the progress we have made and jeopardizing the projects that are so important to America's future: projects in aeronautics, in science, in space technology, and so forth. I do not believe we want to make that mistake.

Why do I feel so strongly about the space program? It is because I have seen the benefit that our spending on space exploration has delivered to our citizens over the last 37 years. Communications satellites, weather satellites—so important in this "year of the hurricanes", advanced materials that have led to improved hip and joint replacements, technologies developed for the space program that have revolutionized medical diagnostic and monitoring devices, and so forth. The list is endless, and I am convinced that our continued investment in the space program will deliver equally impressive returns in the future.

One need only look at the space station program and the research that is planned for that orbiting facility to realize that we are on the verge of an exciting era in research and development. As many of you may know, I am personally very interested in the potential for important advances in medical research that may come from experiments conducted on the space station.

When I was chairman of the Space Subcommittee, I held a series of hearings over the last 3 years on the potential benefits of space-based biomedical research. The testimony we received from some of the premier medical experts in the country—people like Dr. Michael DeBakey and Dr. Charles LeMaistre, as well as some of the most promising, up-and-coming researchers, was truly impressive, and I invite Members to review the hearing record.

We have worked hard to ensure that NASA and the National Institutes of Health develop good collaborative research activities, and that effort is bearing fruit. At a time when every family in America, on average, has someone that has been touched by the dreaded disease of cancer, we should not turn our back on any possible avenue of progress. I think that the space program has much to offer in our fight against the diseases that afflict our citizens— young and old, men and women—and we should not turn away in a misguided attempt to save a few dollars. Space is an investment in our future and that of our children. I urge my fellow Members to support the space program.

Mr. BROWN of California. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Tennessee [Mr. TANNER].

(Mr. TANNER asked and was given permission to revise and extend his remarks.)

Mr. TANNER. Mr. Chairman, I wish I could be more optimistic in remarks I have to make about H.R. 2405. It claims to trim corporate welfare, while maintaining support for university-based research.

The rhetoric accompanying this bill claims that by maintaining funding at the National Science Foundation we are preserving our core investment in university-based research. At least in my State of Tennessee, the facts present a far different picture.

According to a National Science Foundation report, in Tennessee NSF provides only 5 percent of the Federal obligations to universities, while the Department of Energy provides 18 percent of the Federal funds going to Tennessee.

The 22-percent cut to the Oak Ridge National Laboratory means less Federal spending at Tennessee universities. In my conversations with officials at the University of Tennessee, cuts to the Oak Ridge Lab translate directly into cuts in Tennessee's research budget and access to research facilities. These cuts result in the College of Engineering losing one-third of its research funding, the Center of Biotechnology stands to lose almost three-quarters of a million dollars, and reductions to the Energy, Environment, and Resource Center could eliminate \$6 million in research funds alone. Now these cuts, hiding behind the jargon of corporate welfare, directly impact university research in my State.

I would now like to talk about title VI, the provisions regarding the National Institute of Standards and Technology. This bill provides no authorization and no funding for the Advanced Technology Program and the Manufacturing Extension Partnership at NIST. The elimination of these two programs sends the strongest signal possible to our business community that we simply do not care about the harsh realities they face today. It is a matter of fact that corporate research focus today is short-term and risk-adverse and our small and medium-sized manufacturers in this country face international competition on every street corner in America. As Michael Schrage, research associate at MIT put it, what is being advocated in this portion of the bill are "science and technology policies that would have been deemed simplistic during the country's agrarian heyday."

This bill would eliminate government-industry partnerships which enjoy widespread support among the private sector, professional associations, and the university community. The actions of the Committee on Science on title VI are not based on one private-sector witness or professional association person appearing before the Subcommittee on Technology who advocated eliminating those programs.

Our major corporations are cutting research funding and focusing on short-term goals in response to the pressures of Wall Street. For example, a recent article in the New York Times of September 26, 1995, reported on the breakup of the AT&T laboratories, due to diminishing corporate interest on the brilliant breakthrough discoveries that might lead to an entirely new generation of products. In this global economy blindly eliminating government-industry partnerships which promote private-sector investment in long-term research and development with no immediate payback such as the market

forces might demand is not only shortsighted in our opinion but dangerous.

In closing may I say that Members here today should realize we are not talking about simply cuts in numbers of bureaucrats or the elimination of wasteful government programs. We are all for that. We are talking about cutting basic research at both Federal labs and universities, and cutting successful long-term industry-government partnerships.

This is the real-time, life-size embodiment of the old axiom, penny-wise and pound-foolish. Under the cover of political rhetoric I am afraid we are doing something very dangerous to our country.

Mr. WALKER. Mr. Chairman, I yield 1 minute to the gentleman from Florida [Mr. WELDON].

Mr. WELDON of Florida. Mr. Chairman, I just would like to make a couple of general comments. I am going to speak later during the discussion regarding NASA, but I have been listening this morning about how we do not want to cut, we do not want to cut, and every single time we had a bill come up on this floor where there is any reductions in spending, that is the theme, and that is why we have this tremendous problem.

Mr. Chairman, we have got about a \$5 trillion debt. We are going to spend \$270 billion paying interest on the debt in 1996. Imagine how much we could spend on basic science research, on NASA, on other important seed corn programs, if we did not have to pay all this interest on the debt, and this minority, when it was the majority, was never able to make any of these tough decisions, and that is why they are the minority today, and, if we do not deal with this problem and make the tough decisions, as the chairman of the full committee, the gentleman from Pennsylvania [Mr. WALKER], has done, then we are going to be bankrupt. Our children are going to inherit bankruptcy.

Five trillion dollars of debt, \$180,000 for every man, woman, and child; that is the problem we are dealing with. This bill preserves important programs. I support the bill.

Mr. BROWN of California. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Ohio [Mr. TRAFICANT].

Mr. TRAFICANT. Mr. Chairman, I met several times with leadership on the other side, and let me say this:

This bill leaves the sole discretion to the Administrator to make decisions about whether or not they should delay the information to be in fact published.

Under title II the Traficant amendment says instead of "may delay upon the request of a private sector entity" "shall delay." It can only be a 1-day delay.

There is some concern coming out that if, in fact, some chief executive of a company is friends with the Administrator, that that company is going to be favorably treated. Let me say this:

Under the open-ended language of this bill with full disclosure, with full

sole discretion available to the Administrator, my God, those types of things can happen overnight.

I think this is an industry-friendly amendment.

Mr. Chairman, I have only taken a minute because I want the staff to review this language. I think it makes the bill better.

Mr. BROWN of California. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from California [Mr. BROWN] is recognized for 2 minutes.

Mr. BROWN of California. Mr. Chairman, as we indicated at the beginning of this debate, it is quite possible that this authorization bill, packaged as it is, may never see the light of the President's signature, and the significance of what we are doing really is to explore some of the policy issues and some of the semantic issues which are involved in this debate.

For example, on the Republican side they have said rather consistently that this bill is friendly to basic research, and they confess that they are cutting certain things that they call corporate welfare. This is a wonderful position to be in from a p.r. position because everybody likes basic research and nobody likes corporate welfare. So they are going to cut corporate welfare.

Now the corporate welfare they are cutting are the programs which were adopted and enacted under the last Republican administration to show that this Government wanted to be partners with American industry and to assist them. I can remember the debates we had with President Bush's science adviser and with his Cabinet members about how this could best be done. I remember the discussions with Admiral Watkins, for example, the last Secretary of Energy, about the importance of the Department of Energy making their resources available to the private sector, to the corporations, to pursue research that would have a payoff in the short and middle term, what the distinguished chairman calls corporate welfare. Now this was not Admiral Watkins' view of it. Similarly in the Department of Commerce, where they were authorized to have an Advanced Technology Program and a Manufacturing Extension Program, they wanted to cooperate with industry in doing that. They did not consider it corporate welfare, and these are the programs which, of course, are taking the brunt of these one-third cuts which we have shown in the graphs are going to take place.

Mr. WALKER. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. WALKER] is recognized for 3 minutes.

Mr. WALKER. Mr. Chairman, we have heard a lot today about extremism and the idea that one-third cuts are extreme. I would like to read one quote to my colleagues that I think is an interesting quote in that regard. It says:

I'm also in the belief that any agency of Government can be cut probably by at least a third without seriously impairing the overall results.

That was said on September 7, 1995, about a month ago, and it was said by none other than the ranking member of the Committee on Science.

Now either one-third cuts are extreme or they can be done without impairing the overall results. I do not know which it is, but the fact is that those kinds of issues are what we are dealing with, but we have not gone through and cut by one-third with a meat ax. We have been very, very careful about how we cut things because we wanted to make certain that, as we cut programs, we cut out a lot of the fat of Government.

Now what my colleagues just heard is people standing up here and defending this whole idea of corporate welfare, that somehow if Republican administrations put it in place for the big Fortune 500 companies, that should be justification enough for us to keep it.

Wrong. None of those Republican administrations balanced the budget, not a one of them, and we were criticized day in and day out on the House floor for the fact that Ronald Reagan and George Bush were not balancing the budget.

Mr. Chairman, this Congress has come here to balance the budget. How are we going to do so if we do not do something about adjusting priorities? And that is exactly what we are doing. Is that going to be at the expense of science? No.

My colleagues saw some charts here on the floor indicating that our spending is going down while Japan is going up. Well, at least they did admit that the Japan upward line was proposed, but the fact is this country spends in R&D more than Japan, France, Italy, Great Britain, and Germany combined. All of them combined do not spend as much as we do in R&D.

So what we have got to get going is getting the right kind of priority out of R&D. Can we do that? I think we can.

Here is a pretty good article out of Science magazine, news and comment. It is talking about how Japan is behind us for instance in the human genome research. It makes the point that Japan, for all of their spending, is not doing a very good job in some instances. We think what we ought to do is prioritize the money in this Government so we do a better job of spending it, and we cannot do a better job of spending science money by calling corporate welfare science and then spending lots of money on it.

Mr. Chairman, it is high time that we stop the Fortune 500 companies from coming in here and getting the Government to do the things that they could spend their own money on. The fact is the General Accounting Office on one of these big technology programs, the ATP program, the Advanced Technology Program, said that 80 percent of the money would have or might have

been done by the companies if the Government had not provided the money. That tells us the right thing.

We support basic research; that is what needs to be done.

Mr. HOYER. Mr. Chairman, I rise today in opposition to H.R. 2405, the Omnibus Science Research Authorization Act of 1995. While the bill contains provisions which I support, I believe the bill cuts deeply into the Federal science research and development budget. I recognize that there must be cuts in many of these programs, however this bill clearly lessens our ability to excel in achieving the highest quality research and development. Now more than ever, we need to stay the course. The research performed and gained from these agencies and the entities they support are crucial to the vitality of our Nation.

Science plays a key role in the economic and technological development of our Nation. As an important player in the global economy, we must ensure that we are unrelenting in our efforts to remain competitive. The reductions contained in this bill are shortsighted and make unnecessary cuts to vital research and development programs. Therefore, it is important that we oppose this measure which makes cuts to prevent us from achieving our goal.

The bill authorizes \$21.5 billion in fiscal year 1996 for several science programs and agencies. Its authorization level is \$3 billion less than fiscal year 1995, and \$3.6 billion less than the administration's request. It makes cuts in various agencies which provide critical research and information which benefit the Nation.

The bill provides \$54 million less than the fiscal year 1995 and \$228 million less than the administration's request for the National Science Foundation. While this may be a small cut, it represents the first time the National Science Foundation has received decreased funding. The National Science Foundation provides excellent support for research in the physical and mathematical sciences at universities. Moreover, it plays a significant role in ensuring that universities such as the University of Maryland and Johns Hopkins University maintain a standard of excellence in research which is internationally recognized. At a time when the responsibilities and activities of the National Science Foundation are increasing, it does not make sound sense to make big cuts to its budget.

The bill authorizes a total of \$1.7 billion for fiscal year 1996 for the National Oceanic and Atmospheric Administration [NOAA]. This represents \$297 million less than the fiscal year 1995 funding and \$476 million less than the administration's request. Mr. Chairman, this is particularly disturbing given that NOAA is presently in the middle of their efforts to modernize and restructure the National Weather Service.

The bill authorizes \$4.3 billion in fiscal year 1996 civilian research, development, demonstration, and commercial application activities for the Energy Department. This is a decrease of \$1.4 billion from the administrations request and \$1.1 billion less than the fiscal year 1995 funding level. It is clear that as our fossil fuels and other resources become scarce, these programs are increasingly important.

As I stated previously, there are provisions in the bill which I support. I want to thank Congresswoman HARMAN and my colleague from

Maryland, Mr. BARTLETT, for their efforts to restore funding for the Mission to Planet Earth Program. I also want to thank the chairman and the committee for accepting the Harman-Bartlett amendment during the full committee markup of the NASA authorization bill.

Mission to Planet Earth produces practical benefits and long-term understanding of the environment. The centerpiece of Mission to Planet Earth is the Earth Observing System [EOS]. EOS will help us understand the causes of natural disasters and how to respond to them. The importance of the EOS Program becomes clearer when we look at the record number of hurricanes we have experienced this year. EOS will allow us to dramatically improve weather forecasts and improve agricultural and natural resources productivity. EOS will generate the facts needed to make objective decisions about the environment.

I am also pleased with the \$28 million funding level for the U.S. Fire Administration and the National Fire Academy in fiscal years 1996 and 1997. This small investment in our Nation's fire safety and emergency medical activities provides the American people with the finest public education, fire prevention and control, and research into fire suppression in the world.

No one doubts the data which ranks the United States below many other industrialized countries in fire safety. The funds in this bill will enable the National Fire Academy to continue to provide the best training in the world to our Nation's first responders.

There are more than 340 Members of this body in the bipartisan Fire Services Caucus. We all must continue to support the U.S. Fire Administration, which provides the backbone of our Nation's fire safety and protection services.

Today, it is my intention to support the Brown substitute which provides sufficient levels of funding to keep our science programs on track. Not only does the Brown substitute provide sufficient operating levels for the National Science Foundation, NOAA, and the Department of Energy's research and development program, it authorizes higher levels for Mission to Planet Earth and the U.S. Fire Administration. The Brown substitute moves us in the direction we ought to be going with our science budget. The research and development we perform today will lead to a better quality of life for us all tomorrow. Therefore, I would urge my colleagues to oppose the committee bill and support the Brown substitute.

Ms. HARMAN. Mr. Chairman, I rise today to voice my support for a strong, balanced civil space program, and in particular for NASA's Mission to Planet Earth Program.

Title II of H.R. 2405 contains a bipartisan amendment which I offered at full committee with my colleague Mr. BARTLETT of Maryland. That amendment, which was adopted by voice in the Science Committee, restored \$274 million of the \$323 which had been cut from Mission to Planet Earth. The amendment was budget neutral and required a corresponding general reduction at NASA to pay for the increased Mission to Planet Earth authorization.

The intent of both Mr. BARTLETT and myself, as well as the language of the amendment, is unambiguous—the amendment authorized an additional \$274 million for Mission to Planet Earth, but placed certain conditions on the obligation or expenditure of such additional funds. No conditions or limits were placed on the actual authorization or appropriations.

The most important obligation or expenditure condition was a requirement that the NASA Administrator report to Congress on a plan for implementing the recommendations of a recently completed National Academy of Sciences review of the Mission to Planet Earth Program.

The National Academy's report, which was released last month, validates the committee's actions of authorizing the additional \$274 million. In particular, the report recommends that the Earth Observing System's PM-1 and Chem-1 missions be implemented without delay—an important endorsement in light of earlier committee report language which advocated delaying the missions to realize savings. Additionally, the National Academy found that the scientific basis of Mission to Planet Earth is fundamentally sound, and that any further budgetary reductions would severely damage the program.

Mr. Chairman, Mission to Planet Earth's scientific and economic benefits are numerous. In addition to providing invaluable information on global change, the program's scientific data will help us better understand the effects of El Nino conditions on our Nation's farms, and will further the developing science of risk assessment.

I urge my colleagues to support NASA's Mission to Planet Earth, as an integral part of a civil space program which balances human space flight with science, aeronautics, and technology.

Mr. TANNER. Mr. Chairman, I wish I could be more optimistic in my remarks, but I cannot. H.R. 2405, the Omnibus Civilian Science Authorization Act of 1995 claims to trim corporate welfare, while maintaining support for university-based research. But it does not. H.R. 2405 cuts civilian R&D Programs by 12 percent in fiscal year 1996, the first step in the majority's plan to cut Federal R&D spending by 33 percent over the next 7 years. The rhetoric accompanying H.R. 2405 claims that by maintaining funding at the National Science Foundation we're preserving our core investment in university-based research.

At least in my State of Tennessee, the facts present a different picture. According to an NSF report, in Tennessee NSF provides only 5 percent of the Federal obligations to universities, while the Department of Energy provides 18 percent of Federal funds. Cuts to DOE's Health, Environment and Safety account and to Energy R&D will impact universities and colleges across the State—at Fisk University, Middle Tennessee State University, Tennessee State University, Tennessee Technological University, the University of Memphis, the University of Tennessee, and Vanderbilt University.

The 22 percent cut to the Oak Ridge National Lab also means less Federal spending at Tennessee Universities. In my conversations with officials at the University of Tennessee, cuts to Oak Ridge translate directly into cuts to the University of Tennessee's research budget and access to research facilities. These cuts could result in the College of Engineering losing one-third of its research funding, the Center of Biotechnology stands to lose almost three-quarters of a million dollars, and reductions to the Energy, Environment and Resource Center could eliminate \$6 million in research funds for the University of Tennessee. These cuts, hiding behind jargon of corporate welfare, directly impact university

research. And although we have been told that NSF will grow by 10 percent over the next 7 years, according to the University of Tennessee this will not make up the difference—there will simply be more competition for less funds.

I would now like to address the provisions in title VI of H.R. 2405 regarding the National Institute of Standards and Technology [NIST]. This bill provides no authorization and no funding for the Advanced Technology program and the Manufacturing Extension Partnership [MEP] at NIST. The elimination of the ATP and the MEP sends a strong signal to the business community that we don't care about the harsh economic realities they face today. Corporate research focus is short-term and risk adverse and our small and medium-sized manufacturers face international competitors on every street corner in America. As Michael Schrage, research associate at MIT put it, what's being advocated are "science and technology policies that would have been deemed simplistic during the country's agrarian heyday."

We are eliminating government/industry partnerships which enjoy widespread support among the private sector, professional associations, and the university community. What has the Science Committee based its actions on? Not the hearing record. Not one private sector witness or professional association appearing before the Technology Subcommittee has advocated eliminating those programs. Our major corporations are cutting research funding and focusing on short term goals in response to the pressures of Wall Street. For example, a recent article in the New York Times (26 September 1995) reported on the break-up of the AT&T lab, due to diminishing corporate interest on the brilliant breakthrough discoveries that might lead to an entirely new generation of products.

We should not be blindly eliminating government/industry partnerships which promote private sector investment in long-term, high-risk research that is vital to our economic future.

In closing, Members here today should realize that what we're talking about aren't simply cuts in numbers of bureaucrats or the elimination of wasteful Government programs—we're cutting basic research at both Federal labs and at universities, and we're cutting successful industry/Government partnerships.

We should not be penny-wise and pound foolish. Under the cover of political rhetoric, we're in danger of indiscriminately chopping research and undermining a system that has for decades produced the best scientists and engineers in the world.

I am all for fiscal conservatism and deficit reduction, but the need to cut the deficit is no excuse for setting aside common sense and good judgment.

I urge my colleagues to support the conservative substitute for H.R. 2405.

Mr. HAYES. Mr. Chairman, I rise today in strong support for the amendment by my colleague from Alaska and Chairman of the House Resources Committee, which strikes section 422(b) of H.R. 2405, thereby preventing passage of the bill with a shortsighted and under-funded Sea Grant program.

During the full committee mark up on H.R. 1175, the Sea Grant Authorization Bill, in the Science Committee, I and other members received assurances from the Chair that we would be consulted as the process moved forward to

address concerns with the low funding levels advocated by the Chairman's mark. I reluctantly supported reporting the bill for consideration on the floor with the understanding that we would work together to resolve the situation. The presence of the same language in H.R. 2405 raises serious questions about whether the Science Committee ever had any true intention of working with me or other Members to properly raise funding levels.

The appropriators on both sides of the Capitol have made a commitment to and recognized the importance of the Sea Grant program by designating over \$50 million. The Resources Committee version of H.R. 1175 similarly orders the priorities of the program in a responsible manner and reasonably authorizes \$53 million. The provisions of H.R. 2405, however, do not realize the contributions that Sea Grant makes to research and outreach on matters critical to the survival of coastal communities. The Science Committee's \$36 million is not satisfactory.

The Sea Grant Program has been a highly acclaimed and successful research program to advance our cognizance of marine sciences and subsequently apply that knowledge to assist coastal communities in better managing their marine resources. Since 1968, Louisiana Sea Grant, for example, has been instrumental in helping people living and working in coastal Louisiana to improve marine conservation through research, education, and advisory services. By addressing vital economic, environmental, and resource management issues, Louisiana Sea Grant has facilitated the effective implementation of many Federal and State conservation policies to preserve our marine and fisheries resources in the Gulf of Mexico, while at the time protecting our important economic industries that depend on those same resources.

Louisiana Sea Grant's advisory and extension services were especially crucial in facilitating Gulf-wide workshops to better inform shrimpers about appropriate compliance with turtle excluder device [TED] regulations as required by the National Marine Fisheries Service to enforce the Endangered Species Act. While, like most shrimpers, I question the legitimacy of the science justifying the rule itself, the shrimping community unanimously praised these meetings as productive.

Moreover, Sea Grant's research and education efforts will also assist us in improving our understanding of the causes of Vibrio vulnificus and could be an integral component in our fight to preserve the Gulf Coast oyster industry. By recognizing causes of Vibrio, timely data can be distributed to the public to prevent the misinformation about at-risk consumer populations.

H.R. 2405's \$36 million will not satisfactorily enable Sea Grant to perform all of these functions. I understand and expect that Chairman YOUNG will expeditiously bring H.R. 1175 to the floor for full and fair debate of the higher authorization numbers. For the long-term sustainability of our marine resources, I commend my colleague from Alaska and again urge Members to support the Young amendment.

Mr. Chairman, I rise today in strong support for the amendment by my colleague from Pennsylvania, Mr. DOYLE, which increases the amounts in conservation and fossil fuel research and development accounts in H.R. 2405 up to the levels contained within the fis-

cal year 1996 Interior Appropriations conference report.

In my home State of Louisiana, the downturn in the oil and gas boom of the 1980's has devastated our economy. We are only now starting to recover. The research efforts of the Department of Energy, in cooperation and partnership with universities across our State, are and will continue to be critical to the future hope of ailing Gulf Coast businesses which still depend on oil and gas for significant portions of their income.

Embodied in the Doyle amendment, we have an opportunity to provide needed additional dollars for research for purposes of determining potential strategies for increasing our dwindling domestic energy resources. At the same time, Mr. DOYLE recognizes the House's obligation to balance the Federal budget and does so by following the path of the appropriators for fiscal year 1996 spending. In his remarks during the full Committee mark up on the Department of Energy R and D Bill, H.R. 1815, Chairman WALKER when referring to the premise behind his substitute amendment stated that "if we found, in the course of the on-going process, that additional monies were going to be made available in energy accounts, that in fact the Committee should be given a chance to act on those additional monies." The Doyle amendment accomplishes precisely that objective. In fact, as my colleagues are well aware, the House Interior Appropriations Bill included higher fiscal year 1996 figures which acknowledge the importance of a Federal presence in research and development of fossil fuels and energy conservation.

The conservation and fossil programs provide near-term and long-term benefits in the development of innovative technologies to reduce energy use, commercialize new energy efficient products, make exploration and extraction of energy sources cheaper and more efficient, and promote national energy security.

John Henry, the first Secretary of the Smithsonian Institution, once said that "science is the pursuit above all which impresses us with the capacity of man for intellectual and moral progress and awakens the human intellect to aspiration for higher condition of humanity."

It is in this spirit that I urge my colleagues to adopt the Doyle amendment and to demonstrate our commitment to invest in the improvement of the condition of every American through this vital energy research.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered under the 5-minute rule by titles, and the first section and each title shall be considered read.

An amendment striking section 304(b)(3) of the bill is adopted.

During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition to a Member who has caused an amendment to be printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will designate section 1.

The text of section 1 is as follows:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Omnibus Civilian Science Authorization Act of 1995".

(b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.

TITLE I—NATIONAL SCIENCE FOUNDATION

Sec. 101. Short title.

Sec. 102. Definitions.

Subtitle A—National Science Foundation Authorization

Sec. 111. Authorization of appropriations.

Sec. 112. Proportional reduction of research and related activities amounts.

Sec. 113. Consultation and representation expenses.

Sec. 114. Reprogramming.

Sec. 115. Further authorizations.

Subtitle B—General Provisions.

Sec. 121. Annual report.

Sec. 122. National research facilities.

Sec. 123. Eligibility for research facility awards.

Sec. 124. Administrative amendments.

Sec. 125. Indirect costs.

Sec. 126. Research instrumentation and facilities.

Sec. 127. Financial disclosure.

Sec. 128. Educational leave of absence for active duty.

Sec. 129. Prohibition of lobbying activities.

Sec. 130. Science Studies Institute.

Sec. 131. Educational impact.

Sec. 132. Divisions of the Foundation.

Sec. 133. Limitation on appropriations.

Sec. 134. Eligibility for awards.

TITLE II—NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Subtitle A—General Provisions

Sec. 201. Short title.

Sec. 202. Findings.

Sec. 203. Definitions.

Subtitle B—Authorization of Appropriations Chapter 1—Authorizations

Sec. 211. Human space flight.

Sec. 212. Science, aeronautics, and technology.

Sec. 213. Mission support.

Sec. 214. Inspector General.

Sec. 215. Total authorization.

Sec. 216. Additional authorization and corresponding reduction.

Sec. 217. Limited availability.

Chapter 2—Restructuring the National Aeronautics and Space Administration

Sec. 221. Findings.

Sec. 222. Asset-based review.

Chapter 3—Limitations and Special Authority

Sec. 231. Use of funds for construction.

Sec. 232. Availability of appropriated amounts.

Sec. 233. Reprogramming for construction of facilities.

Sec. 234. Consideration by committees.

Sec. 235. Limitation on obligation of unautho- rized appropriations.

Sec. 236. Use of funds for scientific consultations or extraordinary expenses.

Sec. 237. Limitation on transfer to Russia.

Subtitle C—Miscellaneous Provisions

Sec. 241. Commercial space launch amendments.

Sec. 242. Office of Air and Space Commercialization authorization.

Sec. 243. Requirement for independent cost analysis.

Sec. 244. National Aeronautics and Space Act of 1958 amendments.

Sec. 245. Procurement.

Sec. 246. Additional National Aeronautics and Space Administration facilities.

Sec. 247. Purchase of space science data.

Sec. 248. Report on Mission to Planet Earth.

- Sec. 249. Shuttle privatization.
- Sec. 250. Aeronautical research and technology facilities.
- Sec. 251. Launch voucher demonstration program amendments.
- Sec. 252. Privatization of microgravity parabolic flight operations.
- Sec. 253. Eligibility of awards.
- Sec. 254. Prohibition of lobbying activities.
- Sec. 255. Limitation on appropriations.
- Sec. 256. Unitary Wind Tunnel Plan Act of 1949 amendments.

TITLE III—DEPARTMENT OF ENERGY

- Sec. 301. Short title.
- Sec. 302. Definitions.
- Sec. 303. Authorization of appropriations.
- Sec. 304. Funding limitations.
- Sec. 305. Limitation on appropriations.
- Sec. 306. Merit review requirements for awards of financial assistance.
- Sec. 307. Policy on capital projects and construction.
- Sec. 308. Further authorizations.
- Sec. 309. High energy and nuclear physics.
- Sec. 310. Prohibition of lobbying activities.
- Sec. 311. Eligibility for awards.
- Sec. 312. Termination costs.

TITLE IV—NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

- Sec. 401. Short title.
- Sec. 402. Definitions.
- Subtitle A—Atmospheric, Weather, and Satellite Programs
- Sec. 411. National Weather Service.
- Sec. 412. Atmospheric research.
- Sec. 413. National Environmental Satellite, Data, and Information Service.

Subtitle B—Marine Research

- Sec. 421. National Ocean Service.
- Sec. 422. Ocean and Great Lakes research.
- Sec. 423. Use of ocean research resources of other Federal agencies.

Subtitle C—Program Support

- Sec. 431. Program support.
- Subtitle D—Streamlining of Operations
- Sec. 441. Program terminations.
- Sec. 442. Limitations on appropriations.
- Sec. 443. Reduction in the commissioned officer corps.

Subtitle E—Miscellaneous

- Sec. 451. Weather data buoys.
- Sec. 452. Duties of the National Weather Service.
- Sec. 453. Reimbursement of expenses.
- Sec. 454. Eligibility for awards.
- Sec. 455. Prohibition of lobbying activities.
- Sec. 456. Report on laboratories.

TITLE V—ENVIRONMENTAL PROTECTION AGENCY

- Sec. 501. Short title.
- Sec. 502. Definitions.
- Sec. 503. Authorization of appropriations.
- Sec. 504. Scientific research review.
- Sec. 505. Prohibition of lobbying activities.
- Sec. 506. Eligibility for awards.
- Sec. 507. Graduate student fellowships.

TITLE VI—TECHNOLOGY

Subtitle A—Technology Administration

- Sec. 601. Short title.
- Sec. 602. Authorization of appropriations.
- Sec. 603. National Institute of Standards and Technology Act amendments.
- Sec. 604. Stevenson-Wylder Technology Innovation Act of 1980 amendments.
- Sec. 605. Personnel.
- Sec. 606. Fastener Quality Act amendments.
- Sec. 607. Prohibition of lobbying activities.
- Sec. 608. Limitation on appropriations.
- Sec. 609. Eligibility for awards.
- Sec. 610. Standards conformity.
- Sec. 611. Further authorizations.

TITLE VII—UNITED STATES FIRE ADMINISTRATION

- Sec. 701. Short title.

- Sec. 702. Authorization of appropriations.
- Sec. 703. Fire safety systems in Army housing.
- Sec. 704. Successor fire safety standards.
- Sec. 705. Termination or privatization of functions.
- Sec. 706. Report on budgetary reduction.

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The CHAIRMAN. Are there any amendments to section 1?

Mr. SCHIFF. Mr. Chairman, I move to strike the last word as to title I, for the purpose of engaging in a brief colloquy with the chairman of the committee, the gentleman from Pennsylvania [Mr. WALKER].

In section 134 entitled "Eligibility for Awards," it states: "The director shall exclude any person who receives an earmark." I have been asked by several universities as to what the definition of "any person" is. Could the chairman please clarify how he interprets this language?

Mr. WALKER. Mr. Chairman, will the gentleman yield?

Mr. SCHIFF. I yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Chairman, I would certainly interpret "person" narrowly to mean only an awardee institution and not its affiliates or subcontractors. Similarly, we would not view contracts that receive funding under the Federal acquisition regulation procedures for noncompetitive procurements as "not subjected to a competitive, merit-based award process."

Mr. SCHIFF. Further on that section, Mr. Chairman, if a university receives an earmark and refuses it, would this section prohibit them from receiving future funding?

Mr. WALKER. Mr. Chairman, I would like to point out we used the words "received funds." If we had used the term "awarded funds," then we would have had a problem; however, should the university never receive the funds because they refused to accept them, then this section would not apply.

Mr. SCHIFF. Mr. Chairman, I thank the gentleman.

The CHAIRMAN. The Clerk will designate title I. The text of title I is as follows:

TITLE I—NATIONAL SCIENCE FOUNDATION

SEC. 101. SHORT TITLE.

This title may be cited as the "National Science Foundation Authorization Act of 1995".

SEC. 102. DEFINITIONS.

For purposes of this title—

(1) the term "Director" means the Director of the Foundation;

(2) the term "Foundation" means the National Science Foundation;

(3) the term "institution of higher education" has the meaning given such term in section 1201(a) of the Higher Education Act of 1965;

(4) the term "national research facility" means a research facility funded by the Foundation which is available, subject to appropriate policies allocating access, for use by all scientists and engineers affiliated with research institutions located in the United States; and

(5) the term "United States" means the several States, the District of Columbia, the

Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States.

Subtitle A—National Science Foundation Authorization

SEC. 111. AUTHORIZATION OF APPROPRIATIONS.

(a) FINDINGS.—The Congress finds that—

(1) the programs of the Foundation are important for the Nation to strengthen basic research and develop human resources in science and engineering, and that those programs should be funded at an adequate level;

(2) the primary mission of the Foundation continues to be the support of basic scientific research and science education and the support of research fundamental to the engineering process and engineering education; and

(3) the Foundation's efforts to contribute to the economic competitiveness of the United States should be in accord with that primary mission.

(b) FISCAL YEAR 1996.—There are authorized to be appropriated to the Foundation \$3,126,000,000 for fiscal year 1996, which shall be available for the following categories:

(1) Research and Related Activities, \$2,226,300,000, which shall be available for the following subcategories:

(A) Mathematical and Physical Sciences, \$632,200,000.

(B) Engineering, \$311,600,000.

(C) Biological Sciences, \$293,300,000.

(D) Geosciences, \$408,800,000.

(E) Computer and Information Science and Engineering, \$249,500,000.

(F) Social, Behavioral, and Economic Sciences, \$111,300,000.

(G) United States Polar Research Programs, \$156,000,000.

(H) United States Antarctic Logistical Support Activities, \$62,600,000.

(I) Critical Technologies Institute, \$1,000,000.

(2) Education and Human Resources Activities, \$600,000,000.

(3) Major Research Equipment, \$70,000,000.

(4) Academic Research Facilities Modernization, \$100,000,000.

(5) Salaries and Expenses, \$120,000,000.

(6) Office of Inspector General, \$4,500,000.

(7) Headquarters Relocation, \$5,200,000.

(c) FISCAL YEAR 1997.—There are authorized to be appropriated to the Foundation \$3,171,400,000 for fiscal year 1997, which shall be available for the following categories:

(1) Research and Related Activities, \$2,286,200,000.

(2) Education and Human Resources Activities, \$600,000,000.

(3) Major Research Equipment, \$55,000,000.

(4) Academic Research Facilities Modernization, \$100,000,000.

(5) Salaries and Expenses, \$120,000,000.

(6) Office of Inspector General, \$5,000,000.

(7) Headquarters Relocation, \$5,200,000.

SEC. 112. PROPORTIONAL REDUCTION OF RESEARCH AND RELATED ACTIVITIES AMOUNTS.

If the amount appropriated pursuant to section 111(b)(1) is less than the amount authorized under that paragraph, the amount authorized for each subcategory under that paragraph shall be reduced by the same proportion.

SEC. 113. CONSULTATION AND REPRESENTATION EXPENSES.

From appropriations made under authorizations provided in this title, not more than \$10,000 may be used in each fiscal year for official consultation, representation, or other extraordinary expenses at the discretion of the Director. The determination of the Director shall be final and conclusive upon the accounting officers of the Government.

SEC. 114. REPROGRAMMING.

(a) \$500,000 OR LESS.—In any given fiscal year, the Director may transfer appropriated funds among the subcategories of Research and Related Activities, so long as the net funds transferred to or from any subcategory do not exceed \$500,000.

(b) GREATER THAN \$500,000.—In addition, the Director may propose transfers to or from any subcategory exceeding \$500,000. An explanation of any proposed transfer under this subsection must be transmitted in writing to the Committee on Science of the House of Representatives, and the Committees on Labor and Human Resources and Commerce, Science, and Transportation of the Senate. The proposed transfer may be made only when 30 calendar days have passed after transmission of such written explanation.

SEC. 115. FURTHER AUTHORIZATIONS.

Nothing in this title shall preclude further authorization of appropriations for the National Science Foundation for fiscal year 1996: *Provided*, That authorization allocations adopted by the Conference Committee on House Concurrent Resolution 67, and approved by Congress, allow for such further authorizations.

Subtitle B—General Provisions**SEC. 121. ANNUAL REPORT.**

Section 3(f) of the National Science Foundation Act of 1950 (42 U.S.C. 1862(f)) is amended to read as follows:

“(f) The Foundation shall provide an annual report to the President which shall be submitted by the Director to the Congress at the time of the President’s annual budget submission. The report shall—

“(1) contain a strategic plan, or an update to a previous strategic plan, which—

“(A) defines for a three-year period the overall goals for the Foundation and specific goals for each major activity of the Foundation, including each scientific directorate, the education directorate, and the polar programs office; and

“(B) describe how the identified goals relate to national needs and will exploit new opportunities in science and technology;

“(2) identify the criteria and describe the procedures which the Foundation will use to assess progress toward achieving the goals identified in accordance with paragraph (1);

“(3) review the activities of the Foundation during the preceding year which have contributed toward achievement of goals identified in accordance with paragraph (1) and summarize planned activities for the coming three years in the context of the identified goals, with particular emphasis on the Foundation’s planned contributions to major multi-agency research and education initiatives;

“(4) contain such recommendations as the Foundation considers appropriate; and

“(5) include information on the acquisition and disposition by the Foundation of any patents and patent rights.”.

SEC. 122. NATIONAL RESEARCH FACILITIES.

(a) FACILITIES PLAN.—The Director shall provide to Congress annually, as a part of the report required under section 3(f) of the National Science Foundation Act of 1950, a plan for the proposed construction of, and repair and upgrades to, national research facilities. The plan shall include estimates of the cost for such construction, repairs, and upgrades, and estimates of the cost for the operation and maintenance of existing and proposed new facilities. For proposed new construction and for major upgrades to existing facilities, the plan shall include funding profiles by fiscal year and milestones for major phases of the construction. The plan shall include cost estimates in the categories of construction, repair, and upgrades for the

year in which the plan is submitted to Congress and for not fewer than the succeeding 4 years.

(b) LIMITATION ON OBLIGATION OF UNAUTHORIZED APPROPRIATIONS.—No funds appropriated for any project which involves construction of new national research facilities or construction necessary for upgrading the capabilities of existing national research facilities shall be obligated unless the funds are specifically authorized for such purpose by this title or any other Act which is not an appropriations Act, or unless the total estimated cost to the Foundation of the construction project is less than \$50,000,000. This subsection shall not apply to construction projects approved by the National Science Board prior to June 30, 1994.

SEC. 123. ELIGIBILITY FOR RESEARCH FACILITY AWARDS.

Section 203(b) of the Academic Research Facilities Modernization Act of 1988 is amended by striking the final sentence of paragraph (3) and inserting in lieu thereof the following: “The Director shall give priority to institutions or consortia that have not received such funds in the preceding 5 years, except that this sentence shall not apply to previous funding received for the same multiyear project.”.

SEC. 124. ADMINISTRATIVE AMENDMENTS.

(a) NATIONAL SCIENCE FOUNDATION ACT OF 1950 AMENDMENTS.—The National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.) is amended—

(1) by redesignating the subsection (k) of section 4 (42 U.S.C. 1863(k)) that was added by section 108 of the National Science Foundation Authorization Act of 1988 as subsection (l);

(2) in section 5(e) (42 U.S.C. 1864(e)) by amending paragraph (2) to read as follows:

“(2) Any delegation of authority or imposition of conditions under paragraph (1) shall be promptly published in the Federal Register and reported to the Committees on Labor and Human Resources and Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives.”;

(3) by inserting “be entitled to” between “shall” and “receive”, and by inserting “, including traveltime,” after “Foundation” in section 14(c) (42 U.S.C. 1873(c));

(4) by striking section 14(j) (42 U.S.C. 1873(j)); and

(5) by striking “Atomic Energy Commission” in section 15(a) (42 U.S.C. 1874(a)) and inserting in lieu thereof “Secretary of Energy”.

(b) NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT, 1976 AMENDMENTS.—Section 6(a) of the National Science Foundation Authorization Act, 1976 (42 U.S.C. 1881a(a)) is amended by striking “social,” the first place it appears.

(c) NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT OF 1988 AMENDMENTS.—(1) Section 117(a)(1)(B)(v) of the National Science Foundation Authorization Act of 1988 (42 U.S.C. 1881b(1)(B)(v)) is amended to read as follows:

“(v) from schools established outside the several States and the District of Columbia by any agency of the Federal Government for dependents of its employees.”.

(2) Section 117(a)(3)(A) of such Act (42 U.S.C. 1881b(3)(A)) is amended by striking “Science and Engineering Education” and inserting in lieu thereof “Education and Human Resources”.

(d) EDUCATION FOR ECONOMIC SECURITY ACT AMENDMENTS.—Section 107 of Education for Economic Security Act (20 U.S.C. 3917) is repealed.

(e) TECHNICAL AMENDMENT.—The second subsection (g) of section 3 of the National Science Foundation Act of 1950 is repealed.

SEC. 125. INDIRECT COSTS.

(a) MATCHING FUNDS.—Matching funds required pursuant to section 204(a)(2)(C) of the Academic Research Facilities Modernization Act of 1988 (42 U.S.C. 1862c(a)(2)(C)) shall not be considered facilities costs for purposes of determining indirect cost rates.

(b) REPORT.—The Director of the Office of Science and Technology Policy, in consultation with other relevant agencies, shall prepare a report analyzing what steps would be needed to—

(1) reduce by 10 percent the proportion of Federal assistance to institutions of higher education that are allocated for indirect costs; and

(2) reduce the variance among indirect cost rates of different institutions of higher education,

including an evaluation of the relative benefits and burdens of each option on institutions of higher education. Such report shall be transmitted to the Congress no later than December 31, 1995.

SEC. 126. RESEARCH INSTRUMENTATION AND FACILITIES.

The Foundation shall incorporate the guidelines set forth in Important Notice No. 91, dated March 11, 1983 (48 Fed. Reg. 15754, April 12, 1983), relating to the use and operation of Foundation-supported research instrumentation and facilities, in its notice of Grant General Conditions, and shall examine more closely the adherence of grantee organizations to such guidelines.

SEC. 127. FINANCIAL DISCLOSURE.

Persons temporarily employed by or at the Foundation shall be subject to the same financial disclosure requirements and related sanctions under the Ethics in Government Act of 1978 as are permanent employees of the Foundation in equivalent positions.

SEC. 128. EDUCATIONAL LEAVE OF ABSENCE FOR ACTIVE DUTY.

In order to be eligible to receive funds from the Foundation after September 30, 1995, an institution of higher education must provide that whenever any student of the institution who is a member of the National Guard, or other reserve component of the Armed Forces of the United States, is called or ordered to active duty, other than active duty for training, the institution shall grant the member a military leave of absence from their education. Persons on military leave of absence from their institution shall be entitled, upon release from military duty, to be restored to the educational status they had attained prior to their being ordered to military duty without loss of academic credits earned, scholarships or grants awarded, or tuition and other fees paid prior to the commencement of the military duty. It shall be the duty of the institution to refund tuition or fees paid or to credit the tuition and fees to the next semester or term after the termination of the educational military leave of absence at the option of the student.

SEC. 129. PROHIBITION OF LOBBYING ACTIVITIES.

None of the funds authorized by this title shall be available for any activity whose purpose is to influence legislation pending before the Congress, except that this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to Members of Congress on the request of any Member or to Congress, through the proper channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business.

SEC. 130. SCIENCE STUDIES INSTITUTE.

(a) AMENDMENT.—Section 822 of the National Defense Authorization Act for Fiscal 1991 (42 U.S.C. 6686) is amended—

(1) by striking "Critical Technologies Institute" in the section heading and in subsection (a), and inserting in lieu thereof "Science Studies Institute";

(2) in subsection (b) by striking "As determined by the chairman of the committee referred to in subsection (c), the" and inserting in lieu thereof "The";

(3) by striking subsection (c), and redesignating subsections (d), (e), (f), and (g) as subsections (c), (d), (e), and (f), respectively;

(4) in subsection (c), as so redesignated by paragraph (3) of this subsection—

(A) by inserting "science and" after "developments and trends in" in paragraph (1);

(B) by striking "with particular emphasis" in paragraph (1) and all that follows through the end of such paragraph and inserting in lieu thereof "and developing and maintaining relevant informational and analytical tools.";

(C) by striking "to determine" and all that follows through "technology policies" in paragraph (2) and inserting in lieu thereof "with particular attention to the scope and content of the Federal science and technology research and develop portfolio as it affects interagency and national issues";

(D) by amending paragraph (3) to read as follows:

"(3) Initiation of studies and analysis of alternatives available for ensuring the long-term strength of the United States in the development and application of science and technology, including appropriate roles for the Federal Government, State governments, private industry, and institutions of higher education in the development and application of science and technology.";

(E) by inserting "science and" after "Executive branch on" in paragraph (4)(A); and

(F) by amending paragraph (4)(B) to read as follows:

"(B) to the interagency committees and panels of the Federal Government concerned with science and technology.";

(5) in subsection (d), as so redesignated by paragraph (3) of this subsection, by striking "subsection (d)" and inserting in lieu thereof "subsection (c)"; and

(6) by amending subsection (f), as so redesignated by paragraph (3) of this subsection, to read as follows:

"(f) SPONSORSHIP.—The Director of the Office of Science and Technology Policy shall be the sponsor of the Institute.".

(b) CONFORMING USAGE.—All references in Federal law or regulations to the Critical Technologies Institute shall be considered to be references to the Science Studies Institute.

SEC. 131. EDUCATIONAL IMPACT.

(a) FINDINGS.—The Congress finds that—

(1) Federal research funds made available to institutions of higher education often create incentives for such institutions to emphasize research over undergraduate teaching and to narrow the focus of their graduate programs; and

(2) National Science Foundation funds for Research and Related Activities should be spent in the manner most likely to improve the quality of undergraduate and graduate education in institutions of higher education.

(b) EDUCATIONAL IMPACT.—(1) The impact that a grant or cooperative agreement by the National Science Foundation would have on undergraduate and graduate education at an institution of higher education shall be a factor in any decision whether to award such grant or agreement to that institution.

(2) Paragraph (1) shall be effective with respect to any grant or cooperative agreement awarded after September 30, 1996.

(c) REPORT.—The Director shall provide a plan for the implementation of subsection

(b) of this section, no later than December 31, 1995, to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation and the Committee on Labor and Human Resources of the Senate.

SEC. 132. DIVISIONS OF THE FOUNDATION.

(a) AMENDMENT.—Section 8 of the National Science Foundation Act of 1950 (42 U.S.C. 1866) is amended by inserting "The Director may appoint, in consultation with the Board, not more than 6 Assistant Directors to assist in managing the Divisions." after "time to time determine.".

(b) REPORT.—By November 15, 1995, the Director shall transmit to the Congress a report on the reorganization of the National Science Foundation required as a result of the amendment made by subsection (a).

SEC. 133. LIMITATION ON APPROPRIATIONS.

(a) EXCLUSIVE AUTHORIZATION FOR FISCAL YEAR 1996.—Notwithstanding any other provision of law, no sums are authorized to be appropriated for fiscal year 1996 for the activities for which sums are authorized by this title unless such sums are specifically authorized to be appropriated by this title.

(b) SUBSEQUENT FISCAL YEARS.—No sums are authorized to be appropriated for any fiscal year after fiscal year 1996 for the activities for which sums are authorized by this title unless such sums are specifically authorized to be appropriated by an Act of Congress with respect to such fiscal year.

SEC. 134. ELIGIBILITY FOR AWARDS.

(a) IN GENERAL.—The Director shall exclude from consideration for awards of financial assistance made by the Foundation after fiscal year 1995 any person who received funds, other than those described in subsection (b), appropriated for a fiscal year after fiscal year 1995, from any Federal funding source for a project that was not subjected to a competitive, merit-based award process. Any exclusion from consideration pursuant to this section shall be effective for a period of 5 years after the person receives such Federal funds.

(b) EXCEPTION.—Subsection (a) shall not apply to awards to persons who are members of a class specified by law for which assistance is awarded to members of the class according to a formula provided by law.

The CHAIRMAN. Are there any amendments to title I?

AMENDMENT OFFERED BY MR. BROWN OF CALIFORNIA

Mr. BROWN of California. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROWN of California: Page 10, strike line 1 through line 7.

Mr. BROWN of California. Mr. Chairman, this is not a matter of monumental importance. I will not belabor it at all if the majority is willing to accept the amendment, which merely strikes section 115 on page 10. I should explain that it has no effect in law or anything else, as far as I can tell.

In the debate over the bill that this involves, the National Science Foundation, there was some discussion in the committee that the appropriators had already appropriated more money than this bill provided. I think the chairman of the committee, in his wisdom, said that he would concede that, and that if we wanted to authorize more money, we could do it later on. This reflects that understanding.

It says: "Nothing in this title shall preclude further authorization of ap-

propriations for the National Science Foundation," and then it has a proviso that the authorization allocations adopted by the conference committee on House Concurrent Resolution 67 and approved by Congress should allow for further authorization.

Mr. Chairman, to begin with, the first line is of no effect, because we know we can authorize any time we can get the House to approve it, which means generally getting the action through the Committee on Rules, to the floor, and getting the floor to accept it, and then the Senate to accept it and the President to sign it. We can do that any time. It does not have to be set forth in this bill.

Mr. SCHIFF. Mr. Chairman, will the gentleman yield?

Mr. BROWN of California. I yield to the gentleman from New Mexico.

Mr. SCHIFF. Mr. Chairman, as the gentleman knows, at the time that language was inserted into the bill we were at different points in the budget process. I think where we are now, in view of the fact of where we are now, I think the gentleman's amendment is well taken. We are prepared to accept it.

Mr. BROWN of California. I appreciate that, Mr. Chairman.

Let me conclude by making one further remark. "The proviso that authorization allocations adopted by the conference Committee on the Budget resolution allows for it." Now, we all know there is nothing in the budget resolution that pertains to authorization. It pertains only to appropriations. Therefore, to have this language in here, which implies that something in the budget amendment would relate to authorizations for the National Science Foundation is a fiction, so that is not necessary either. I am happy to accept the gentleman's willingness to accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. BROWN].

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to title I?

If not, the Clerk will designate title II.

The text of title II is as follows:

TITLE II—NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Subtitle A—General Provisions

SEC. 201. SHORT TITLE.

This title may be cited as the "National Aeronautics and Space Administration Authorization Act, Fiscal Year 1996".

SEC. 202. FINDINGS.

The Congress makes the following findings:

(1) The National Aeronautics and Space Administration has failed to request sufficient funds to perform all missions it has proposed in annual budget requests. For fiscal year 1996, the budget requested is \$140,000,000 below the amount required to fulfill program commitments made by the fiscal year 1995 budget approved by Congress. The request for fiscal year 1996 proposes continued underfunding of the requirements of the National Aeronautics and Space Administration by \$439,000,000 for fiscal year 1997,

\$847,000,000 for fiscal year 1998, \$1,189,000,000 for fiscal year 1999, and \$1,532,000,000 for fiscal year 2000.

(2) In order to close the gap between projected program requirements and the underfunding requested, the National Aeronautics and Space Administration should aggressively pursue actions and reforms directed at reducing institutional costs, including management restructuring, facility consolidation, procurement reform, personnel base downsizing, and convergence with other defense and private sector systems.

(3) While institutional reforms, restructurings, and downsizing hold the promise of comporting the projected needs of the National Aeronautics and Space Administration with funding levels requested by the Administration, such reforms provide no guarantee against cancellation of missions in the event reform efforts fail to achieve cost reduction targets.

(4) The National Aeronautics and Space Administration must reverse its current trend toward becoming an operational agency, and return to its proud history as the Nation's leader in basic scientific air and space research.

(5) Commercial space activity is in a delicate state of growth but has the potential to eclipse Federal space activity in its economic return to the Nation if not stifled.

(6) The United States is on the verge of creating and using new technologies in microsatellites, information processing, and space launch that could radically alter the manner in which the Government approaches its space mission.

(7) The overwhelming preponderance of the Federal Government's requirements for routine, nonemergency manned and unmanned space transportation can be most effectively, efficiently, and economically met by a free and competitive market in privately developed and operated launch services.

(8) In formulating a national space transportation service policy, the National Aeronautics and Space Administration should aggressively pursue reverse contracting opportunities to support the private sector development of advanced space transportation technologies including reusable space vehicles, single-stage-to-orbit vehicles, and manner space systems.

(9) International cooperation in space exploration and science activities serves the United States national interest—

(A) when it—

(i) reduces the cost of undertaking missions the United States Government would pursue unilaterally;

(ii) enables the United States to pursue missions that it could not otherwise afford to pursue unilaterally; or

(iii) enhances United States capabilities to use and develop space for the benefit of United States citizens; and

(B) when it does not—

(i) otherwise harm or interfere with the ability of United States private sector firms to develop or explore space commercially;

(ii) interfere with the ability of Federal agencies to use space to complete their missions;

(iii) undermine the ability of United States private enterprise to compete favorably with foreign entities in the commercial space arena; or

(iv) transfer sensitive or commercially advantageous technologies or knowledge from the United States to other countries or foreign entities except as required by those countries or entities to make their contribution to a multilateral space project in partnership with the United States, or on a quid pro quo basis.

(10) The National Aeronautics and Space Administration and the Department of De-

fense can cooperate more effectively in leveraging their mutual capabilities to conduct joint space missions that improve United States space capabilities and reduce the cost of conducting space missions.

SEC. 203. DEFINITIONS.

For purposes of this title—

(1) the term "Administrator" means the Administrator of the National Aeronautics and Space Administration; and

(2) the term "institution of higher education" has the meaning given such term in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)).

Subtitle B—Authorization of Appropriations CHAPTER 1—AUTHORIZATIONS

SEC. 211. HUMAN SPACE FLIGHT.

(a) AUTHORIZATIONS.—There are authorized to be appropriated to the National Aeronautics and Space Administration for fiscal year 1996 for Human Space Flight the following amounts:

(1) For Space Shuttle Operations, \$2,341,800,000.

(2) For Space Shuttle Safety and Performance Upgrades, \$837,000,000.

(3) For Payload and Utilization Operations, \$315,000,000.

(4) For Russian Cooperation, \$100,000,000.

(b) CONSTRUCTION OF FACILITIES.—(1) Of the funds authorized to be appropriated under subsection (a)(2), \$5,000,000 are authorized for modernization of the Firex Systems, Pads A and B, Kennedy Space Center.

(2) Of the funds authorized to be appropriated under subsection (a)(2), \$7,500,000 are authorized for replacement of the Chemical Analysis Facility, Kennedy Space Center.

(3) Of the funds authorized to be appropriated under subsection (a)(2), \$4,900,000 are authorized for replacement of the Space Shuttle Main Engine Processing Facility, Kennedy Space Center.

SEC. 212. SCIENCE, AERONAUTICS, AND TECHNOLOGY.

(a) AUTHORIZATIONS.—There are authorized to be appropriated to the National Aeronautics and Space Administration for fiscal year 1996 for Science, Aeronautics, and Technology the following amounts:

(1) For Space Science, \$1,995,400,000, of which—

(A) \$1,167,600,000 are authorized for Physics and Astronomy, of which \$51,500,000 shall be for the Gravity Probe B, except that no funds are authorized for the Space Infrared Telescope Facility; and

(B) \$827,800,000 are authorized for Planetary Exploration, of which \$30,000,000 shall be for the New Millennium Spacecraft, including \$5,000,000 for the National Aeronautics and Space Administration's participation in Clementine 2 (Air Force Program Element 0603401F Advanced Spacecraft Technology).

(2) For Life and Microgravity Sciences and Applications, \$293,200,000.

(3) For Mission to Planet Earth, \$1,013,100,000, of which \$21,500,000 shall only be for activities described in section 248(b)(7)(A), except that no funds are authorized for the Consortium for International Earth Science Information Network (except as provided in section 217) or the Topex Poseidon Follow-On mission. Funds authorized by this paragraph may not be expended to duplicate private sector or other Federal activities or to procure systems to provide data unless the Administrator certifies to Congress that no private sector or Federal entity can provide suitable data in a timely manner. Notwithstanding any other provision of law, funds in excess of those authorized by this paragraph may not be obligated for Mission to Planet Earth.

(4) For Space Access and Technology, \$639,800,000 of which—

(A) \$193,000,000 are authorized for Advanced Space Transportation;

(B) \$10,000,000 are authorized to be made available for defraying the costs of converting or redesigning commercially inconsistent elements of former Federal facilities or to take actions required for conformance with Federal laws or regulations relating to commercial space transportation infrastructure, to remain available until expended;

(C) \$20,000,000 shall be for continuing the Launch Voucher Demonstration Program authorized under section 504 of the National Aeronautics and Space Administration Authorization Act, Fiscal Year 1993 (15 U.S.C. 5803); and

(D) \$33,900,000 are authorized for the Small Spacecraft Technology Initiative, except that funds for such Initiative may not be expended to duplicate private sector activities or to fund any activities that a private sector entity is proposing to carry out for commercial purposes. No funds are authorized under this paragraph for the Partnership for Next Generation Vehicle.

(5) For Aeronautical Research and Technology, \$826,900,000, of which—

(A) \$354,700,000 are authorized for Research and Technology Base activities;

(B) \$245,500,000 are authorized for High Speed Research;

(C) \$133,000,000 are authorized for Advanced Subsonic Technology, except that no funds are authorized for concept studies for Advanced Traffic Management and Affordable Design and Manufacturing;

(D) \$40,200,000 are authorized for High-Performance Computing and Communications; and

(E) \$48,100,000 are authorized for Numerical Aerodynamic Simulation.

(6) For Mission Communication Services, \$461,300,000.

(7) For Academic Programs, \$102,200,000.

(b) CONSTRUCTION OF FACILITIES.—(1) Of the funds authorized to be appropriated under subsection (a)(3), \$17,000,000 are authorized for construction of the Earth Systems Science Building, Goddard Space Flight Center.

(2) Of the funds authorized to be appropriated under subsection (a)(5), \$5,400,000 are authorized for modernization of the Unitary Plan Wind Tunnel Complex, Ames Research Center.

(3) Of the funds authorized to be appropriated under subsection (a)(2), \$3,000,000 are authorized for the construction of an addition to the Microgravity and Development Laboratory, Marshall Space Flight Center.

SEC. 213. MISSION SUPPORT.

There are authorized to be appropriated to the National Aeronautics and Space Administration for fiscal year 1996 for Mission Support the following amounts:

(1) For Safety, Reliability, and Quality Assurance, \$37,600,000.

(2) For Space Communication Services, \$319,400,000.

(3) For Construction of Facilities, including land acquisition, \$152,600,000, of which—

(A) \$6,300,000 shall be for restoration of Flight Systems Research Laboratory, Ames Research Center;

(B) \$3,000,000 shall be for restoration of chilled water distribution system, Goddard Space Flight Center;

(C) \$4,800,000 shall be for replacing chillers, various buildings, Jet Propulsion Laboratory;

(D) \$1,100,000 shall be for rehabilitation of electrical distribution system, White Sands Test Facility, Johnson Space Center;

(E) \$4,200,000 shall be for replacement of main substation switchgear and circuit breakers, Johnson Space Center;

(F) \$1,800,000 shall be for replacement of 15kV load break switches, Kennedy Space Center;

(G) \$9,000,000 shall be for rehabilitation of Central Air Equipment Building, Lewis Research Center;

(H) \$4,700,000 shall be for restoration of high pressure air compressor system, Marshall Space Flight Center;

(I) \$6,800,000 shall be for restoration of Information and Electronic Systems Laboratory, Marshall Space Flight Center;

(J) \$1,400,000 shall be for restoration of canal lock, Stennis Space Center;

(K) \$2,500,000 shall be for restoration of primary electrical distribution systems, Wallops Flight Facility;

(L) \$30,000,000 shall be for repair of facilities at various locations, not in excess of \$1,500,000 per project;

(M) \$30,000,000 shall be for rehabilitation and modification of facilities at various locations, not in excess of \$1,500,000 per project;

(N) \$2,000,000 shall be for minor construction of new facilities and additions to existing facilities at various locations, not in excess of \$750,000 per project;

(O) \$10,000,000 shall be for facility planning and design not otherwise provided for; and

(P) \$35,000,000 shall be for environmental compliance and restoration.

(4) For Research and Program Management, including personnel and related costs, travel, and research operations support, \$2,094,800,000.

SEC. 214. INSPECTOR GENERAL.

There are authorized to be appropriated to the National Aeronautics and Space Administration for Inspector General, \$17,300,000 for fiscal year 1996.

SEC. 215. TOTAL AUTHORIZATION.

Notwithstanding any other provision of this subtitle, the total amount authorized to be appropriated to the National Aeronautics and Space Administration under this title shall not exceed \$11,547,400,000 for fiscal year 1996.

SEC. 216. ADDITIONAL AUTHORIZATION AND CORRESPONDING REDUCTION.

(a) AUTHORIZATION.—In addition to amounts authorized by section 212(a)(3), there are authorized to be appropriated to the National Aeronautics and Space Administration for fiscal year 1996 for Mission to Planet Earth \$274,360,000, to be derived from amounts otherwise authorized by this title.

(b) OPERATING PLAN.—The Administrator shall, within 30 days after the later of—

(1) the date of the enactment of this Act; and

(2) the date of the enactment of the Act making appropriations for the National Aeronautics and Space Administration for fiscal year 1996,

transmit to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an operating plan which identifies which amounts will be transferred pursuant to subsection (a).

(c) LIMITATION ON OBLIGATION AND EXPENDITURE.—None of the funds authorized by subsection (a) shall be available for obligation or expenditure until—

(1) the National Academy of Sciences has conducted a comprehensive review of the Mission to Planet Earth program as part of its study of the United States Global Change Research Program;

(2) the Administrator has reported to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a plan for implementing the study's recommendations and a formal request for all or part of such funds; and

(3) 90 legislative days have passed after the report is transmitted under paragraph (2).

SEC. 217. LIMITED AVAILABILITY.

Nothing in this title shall interfere with the rights of any parties under contracts. Nothing in this title shall preclude the Consortium for International Earth Science Information Network from receiving a contract awarded following a full and open competition.

CHAPTER 2—RESTRUCTURING THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

SEC. 221. FINDINGS.

The Congress finds that—

(1) the restructuring of the National Aeronautics and Space Administration is essential to accomplishing the space missions of the United States while simultaneously balancing the Federal budget;

(2) to restructure the National Aeronautics and Space Administration rapidly without reducing mission content and safety requires objective financial judgment;

(3) no effort has been undertaken by the National Aeronautics and Space Administration to perform a formal economic review of its missions and the Federal assets that support them;

(4) therefore it is premature and unwarranted to attempt closing any National Aeronautics and Space Administration field center until an asset-based review of United States space missions and capabilities to support them is performed; and

(5) cost savings from the closing of National Aeronautics and Space Administration field centers are speculative and potentially injurious to mission goals, unless derived from an asset-based analysis.

SEC. 222. ASSET-BASED REVIEW.

(a) REQUEST FOR PROPOSALS.—Not later than 30 days after the date of the enactment of this Act, the Administrator shall publish in the Commerce Business Daily a request for proposals to perform a National Aeronautics and Space Administration asset-based review.

(b) QUALIFIED PROPOSALS.—Qualified proposals to perform the asset-based review under this section shall be from United States persons whose primary business is corporate financial strategy, investment banking, accounting, or asset management. All proposals shall, at a minimum, propose to review, for each capital asset owned by the National Aeronautics and Space Administration—

(1) its primary function or purpose in relationship to a program, mission, or activity of the National Aeronautics and Space Administration;

(2) the existence of other capital assets which duplicate or overlap with such function or purpose;

(3) the Federal and non-Federal users thereof; and

(4) its necessity to carry out a program, mission, or activity of the National Aeronautics and Space Administration.

(c) REPORT.—The contractor selected to perform the asset-based review under this section shall complete such review and transmit to the Administrator and the Congress, no later than July 31, 1996, a report containing, at a minimum—

(1) for each National Aeronautics and Space Administration field center facility—

(A) a list of capital assets that should be permanently retired or disposed of;

(B) a list of capital assets that may be transferred to non-Federal institutions and corporations, if the transfer of such asset is cost effective; and

(C) a list of capital assets essential to the conduct of National Aeronautics and Space Administration programs, missions, or activities, and a justification for retaining the asset;

(2) for each National Aeronautics and Space Administration program element—

(A) a list of capital assets essential to the conduct of the program element; and

(B) a plan for achieving the most cost-effective consolidation and efficient use of necessary capital assets to support such program element, including the use of non-Federal assets where appropriate; and

(3) for each National Aeronautics and Space Administration capital asset—

(A) the total annual cost of maintaining and operating such capital asset, including Federal employee and contractor costs;

(B) the depreciated cost, replacement cost, and salvage value; and

(C) the most cost-effective strategy for maintaining, replacing, upgrading, or disposing of the capital asset, as appropriate.

(d) IMPLEMENTATION.—The Administrator shall consider the results of the asset-based review conducted under this section, and based on the Administrator's recommendations, the President shall propose to Congress legislation required to implement those recommendations no later than September 30, 1996.

(e) CLOSING OF FIELD CENTERS.—The Administrator shall not close any National Aeronautics and Space Administration field center until after the asset-based review report is transmitted under subsection (c), and may only close field centers that would become obsolete as a result of the implementation of the Administrator's recommendations, and may do so only after enactment of legislation implementing those recommendations.

CHAPTER 3—LIMITATIONS AND SPECIAL AUTHORITY

SEC. 231. USE OF FUNDS FOR CONSTRUCTION.

(a) AUTHORIZED USES.—Funds appropriated under sections 211(a), 212(a), and 213 (1) and (2), and funds appropriated for research operations support under section 213(4), may be used for the construction of new facilities and additions to, repair of, rehabilitation of, or modification of existing facilities at any location in support of the purposes for which such funds are authorized.

(b) LIMITATION.—None of the funds pursuant to subsection (a) may be expended for a project, the estimated cost of which to the National Aeronautics and Space Administration, including collateral equipment, exceeds \$500,000, until 30 days have passed after the Administrator has notified the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of the nature, location, and estimated cost to the National Aeronautics and Space Administration of such project.

(c) TITLE TO FACILITIES.—If funds are used pursuant to subsection (a) for grants to institutions of higher education, or to non-profit organizations whose primary purpose is the conduct of scientific research, for purchase or construction of additional research facilities, title to such facilities shall be vested in the United States unless the Administrator determines that the national program of aeronautical and space activities will best be served by vesting title in the grantee institution or organization. Each such grant shall be made under such conditions as the Administrator shall determine to be required to ensure that the United States will receive therefrom benefits adequate to justify the making of that grant.

SEC. 232. AVAILABILITY OF APPROPRIATED AMOUNTS.

To the extent provided in appropriations Acts, appropriations authorized under chapter 1 may remain available without fiscal year limitation.

SEC. 233. REPROGRAMMING FOR CONSTRUCTION OF FACILITIES.

(a) IN GENERAL.—Appropriations authorized under any paragraph of section 211(b), 212(b), or 213(3)—

(1) may be varied upward by 10 percent in the discretion of the Administrator; or

(2) may be varied upward by 25 percent, to meet unusual cost variations, after the expiration of 15 days following a report on the circumstances of such action by the Administrator to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

The aggregate amount authorized to be appropriated under sections 211(b), 212(b) and 213(3) shall not be increased as a result of actions authorized under paragraphs (1) and (2) of this subsection.

(b) SPECIAL RULE.—Where the Administrator determines that new developments in the national program of aeronautical and space activities have occurred; and that such developments require the use of additional funds for the purposes of construction, expansion, or modification of facilities at any location; and that deferral of such action until the enactment of the next National Aeronautics and Space Administration Authorization Act would be inconsistent with the interest of the Nation in aeronautical and space activities, the Administrator may use up to \$10,000,000 of the amounts authorized under section 211(b), 212(b), or 213(3) for each fiscal year for such purposes. No such funds may be obligated until a period of 30 days has passed after the Administrator has transmitted to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives a written report describing the nature of the construction, its costs, and the reasons therefor.

SEC. 234. CONSIDERATION BY COMMITTEES.

Notwithstanding any other provision of law—

(1) no amount appropriated to the National Aeronautics and Space Administration may be used for any program for which the President's annual budget request included a request for funding, but for which the Congress denied or did not provide funding;

(2) no amount appropriated to the National Aeronautics and Space Administration may be used for any program in excess of the amount actually authorized for the particular program by October 1; and

(3) no amount appropriated to the National Aeronautics and Space Administration may be used for any program which has not been presented to the Congress in the President's annual budget request or the supporting and ancillary documents thereto,

unless a period of 30 days has passed after the receipt by the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of notice given by the Administrator containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such proposed action. The National Aeronautics and Space Administration shall keep the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate fully and currently informed with respect to all activities and responsibilities within the jurisdiction of those committees. Except as otherwise provided by law, any Federal department, agency, or independent establishment shall furnish any information requested by either committee relating to any such activity or responsibility.

SEC. 235. LIMITATION ON OBLIGATION OF UNAUTHORIZED APPROPRIATIONS.

(a) REPORTS TO CONGRESS.—Not later than 30 days after the later of the date of enactment of an Act making appropriations to the National Aeronautics and Space Administration for fiscal year 1996 and the date of enactment of this Act, the Administrator shall submit a report to Congress and to the Comptroller General which specifies—

(1) the portion of such appropriations which are for programs, projects, or activities not authorized under chapter 1 of this subtitle, or which are in excess of amounts authorized for the relevant program, project, or activity under this title; and

(2) the portion of such appropriations which are authorized under this title.

(b) FEDERAL REGISTER NOTICE.—The Administrator shall, coincident with the submission of the report required by subsection (a), publish in the Federal Register a notice of all programs, projects, or activities for which funds are appropriated but which were not authorized under this title, and solicit public comment thereon regarding the impact of such programs, projects, or activities on the conduct and effectiveness of the national aeronautics and space program.

(c) LIMITATION.—Notwithstanding any other provision of law, no funds may be obligated for any programs, projects, or activities of the National Aeronautics and Space Administration for fiscal year 1996 not authorized under this title until 30 days have passed after the close of the public comment period contained in the notice required in subsection (b).

SEC. 236. USE OF FUNDS FOR SCIENTIFIC CONSULTATIONS OR EXTRAORDINARY EXPENSES.

Not more than \$30,000 of the funds appropriated under section 212 may be used for scientific consultations or extraordinary expenses, upon the authority of the Administrator.

SEC. 237. LIMITATION ON TRANSFERS TO RUSSIA.

(a) LIMITATION.—No funds authorized to be appropriated to the National Aeronautics and Space Administration for fiscal year 1996 may be paid or otherwise transferred to Russia unless—

(1) the payment or transfer is authorized by this title;

(2) the payment or transfer is made in exchange for goods or services that have been provided to the National Aeronautics and Space Administration in accordance with a written agreement between the National Aeronautics and Space Administration and Russia;

(3) the Government of the Russian Federation agrees to provide a monthly report to the National Aeronautics and Space Administration during the term of such written agreement, that fully accounts for the disposition of the funds paid or transferred, including information with respect to the preceding month on—

(A) the amount of the funds received, and the date of receipt;

(B) the amount of the funds converted from United States currency, the currency into which the funds have been converted, and the date and rate of conversion;

(C) the amount of non-United States currency, and of United States currency, that is disbursed to any contractor or subcontractor, the identity of such contractor or subcontractor, and the date of disbursement; and

(D) the balance of the funds not disbursed as of the date of the report;

(4) Russia has provided all monthly reports with respect to which an agreement was made pursuant to paragraph (3); and

(5) the President, before such payment or transfer and annually upon submission of the

President's budget request for fiscal years after fiscal year 1996, has certified to the Congress that—

(A) the presence of any troops of the Russian Federation or the Commonwealth of Independent States; and

(B) any action by the Russian Federation or the Commonwealth of Independent States, in Estonia, Latvia, Lithuania, or any other independent state of the former Soviet Union do not violate the sovereignty of those independent states.

(b) DEFINITION.—For purposes of this section, the term "Russia" means the Government of the Russian Federation, the Russian Space Agency, or any agency or instrumentality of the Government of the Russian Federation or the Russian Space Agency.

Subtitle C—Miscellaneous Provisions**SEC. 241. COMMERCIAL SPACE LAUNCH AMENDMENTS.**

(a) AMENDMENTS.—Chapter 701 of title 49, United States Code, is amended—

(1) in the table of sections—

(A) by amending the item relating to section 70104 to read as follows:

"70104. Restrictions on launches, operations, and reentries.";

(B) by amending the item relating to section 70108 to read as follows:

"70108. Prohibition, suspension, and end of launches, operation of launch sites and reentry sites, and reentries.";

and

(C) by amending the item relating to section 70109 to read as follows:

"70109. Preemption of scheduled launches or reentries.";

(2) in section 70101—

(A) by inserting "microgravity research," after "information services," in subsection (a)(3);

(B) by inserting ", reentry," after "launching" both places it appears in subsection (a)(4);

(C) by inserting ", reentry vehicles," after "launch vehicles" in subsection (a)(5);

(D) by inserting "and reentry services" after "launch services" in subsection (a)(6);

(E) by inserting ", reentries," after "launches" both places it appears in subsection (a)(7);

(F) by inserting ", reentry sites," after "launch sites" in subsection (a)(8);

(G) by inserting "and reentry services" after "launch services" in subsection (a)(8);

(H) by inserting "reentry sites," after "launch sites," in subsection (a)(9);

(I) by inserting "and reentry site" after "launch site" in subsection (a)(9);

(J) by inserting "reentry vehicles," after "launch vehicles" in subsection (b)(2);

(K) by striking "launch" in subsection (b)(2)(A);

(L) by inserting "and reentry" after "commercial launch" in subsection (b)(3);

(M) by striking "launch" after "and transfer commercial" in subsection (b)(3); and

(N) by inserting "and development of reentry sites," after "launch-site support facilities," in subsection (b)(4);

(3) in section 70102—

(A) by inserting "from Earth" after "and any payload" in paragraph (3);

(B) by redesignating paragraphs (10) through (12) as paragraphs (14) through (16), respectively;

(C) by inserting after paragraph (9) the following new paragraphs:

"(10) 'reenter' and 'reentry' mean to return or attempt to return, purposefully, a reentry vehicle and its payload, if any, from Earth orbit, from exo-atmospheric flight, or from outer space to Earth.

"(11) 'reentry services' means—

“(A) activities involved in the preparation of a reentry vehicle and its payload, if any, for reentry; and

“(B) the conduct of a reentry.

“(12) ‘reentry site’ means the location on Earth to which a reentry vehicle is intended to return (as defined in a license the Secretary issues or transfers under this chapter).

“(13) ‘reentry vehicle’ means a vehicle designed to return from Earth orbit or outer space to Earth, or a reusable launch vehicle designed to return from outer space or exo-atmospheric flight to Earth, substantially intact.”; and

(D) by inserting “or reentry services” after “launch services” each place it appears in paragraph (15), as so redesignated by subparagraph (B) of this paragraph;

(4) in section 70103(b)—

(A) by inserting “AND REENTRIES” after “LAUNCHES” in the subsection heading;

(B) by inserting “and reentries” after “space launches” in paragraph (1); and

(C) by inserting “and reentry” after “space launch” in paragraph (2);

(5) in section 70104—

(A) by amending the section designation and heading to read as follows:

“§ 70104. Restrictions on launches, operations, and reentries”;

(B) by inserting “or reentry site, or reenter a reentry vehicle,” after “operate a launch site” each place it appears in subsection (a);

(C) by inserting “or reentry” after “launch or operation” in subsection (a)(3) and (4);

(D) in subsection (b)—

(i) by striking “launch license” and inserting in lieu thereof “license”;

(ii) by inserting “or reenter” after “may launch”; and

(iii) by inserting “or reentering” after “related to launching”; and

(E) in subsection (c)—

(i) by amending the subsection heading to read as follows: “PREVENTING LAUNCHES AND REENTRIES.—”;

(ii) by inserting “or reentry” after “prevent the launch”; and

(iii) by inserting “or reentry” after “deceives the launch”;

(6) in section 70105—

(A) by inserting “or reentry site, or reentry of a reentry vehicle,” after “operation of a launch site” in subsection (b)(1); and

(B) by striking “or operation” and inserting in lieu thereof “, operation, or reentry” in subsection (b)(2)(A);

(7) in section 70106(a)—

(A) by inserting “or reentry site” after “observer at a launch site”; and

(B) by inserting “or reentry vehicle” after “assemble a launch vehicle”;

(8) in section 70108—

(A) by amending the section designation and heading to read as follows:

“§ 70108. Prohibition, suspension, and end of launches, operation of launch sites and reentry sites, and reentries”;

and

(B) in subsection (a)—

(i) by inserting “or reentry site, or reentry of a reentry vehicle,” after “operation of a launch site”; and

(ii) by inserting “or reentry” after “launch or operation”;

(9) in section 70109—

(A) by amending the section designation and heading to read as follows:

“§ 70109. Preemption of scheduled launches or reentries”;

(B) in subsection (a)—

(i) by inserting “or reentry” after “ensure that a launch”;

(ii) by inserting “, reentry site,” after “United States Government launch site”;

(iii) by inserting “or reentry date commitment” after “launch date commitment”;

(iv) by inserting “or reentry” after “obtained for a launch”;

(v) by inserting “, reentry site,” after “access to a launch site”;

(vi) by inserting “, or services related to a reentry,” after “amount for launch services”; and

(vii) by inserting “or reentry” after “the scheduled launch”; and

(C) in subsection (c), by inserting “or reentry” after “prompt launching”;

(10) in section 70110—

(A) by inserting “or reentry” after “prevent the launch” in subsection (a)(2); and

(B) by inserting “or reentry site, or reentry of a reentry vehicle,” after “operation of a launch site” in subsection (a)(3)(B);

(11) in section 70111—

(A) by inserting “and reentry services” after “launch services” in subsection (a)(1)(B);

(B) by inserting “or reentry services” after “or launch services” in subsection (a)(2);

(C) by inserting “or reentry” after “commercial launch” both places it appears in subsection (b)(1);

(D) by inserting “or reentry services” after “launch services” in subsection (b)(2)(C);

(E) by striking “or its payload for launch” in subsection (d) and inserting in lieu thereof “or reentry vehicle, or the payload of either, for launch or reentry”; and

(F) by inserting “, reentry vehicle,” after “manufacturer of the launch vehicle” in subsection (d);

(12) in section 70112—

(A) by inserting “or reentry” after “one launch” in subsection (a)(3);

(B) by inserting “or reentry services” after “launch services” in subsection (a)(4);

(C) by inserting “or reentry services” after “launch services” each place it appears in subsection (b);

(D) by striking “, Space, and Technology” in subsection (d)(1);

(E) by inserting “OR REENTRIES” after “LAUNCHES” in the heading for subsection (e); and

(F) by inserting “or reentry site or a reentry” after “launch site” in subsection (e);

(13) in section 70113(a)(1) and (d)(1) and (2), by inserting “or reentry” after “one launch” each place it appears;

(14) in section 70115(b)(1)(D)(i)—

(A) by inserting “reentry site,” after “launch site,”; and

(B) by inserting “or reentry vehicle” after “launch vehicle” both places it appears;

(15) in section 70117—

(A) by inserting “or reentry site or reenter a reentry vehicle” after “operate a launch site” in subsection (a);

(B) by inserting “or reentry” after “approval of a space launch” in subsection (d);

(C) by amending subsection (f) to read as follows:

“(f) LAUNCH NOT AN EXPORT; REENTRY NOT AN IMPORT.—A launch vehicle, reentry vehicle, or payload that is launched or reentered is not, because of the launch or reentry, an export or import, respectively, for purposes of a law controlling exports or imports.”; and

(D) in subsection (g)—

(i) by striking “operation of a launch vehicle or launch site,” in paragraph (1) and inserting in lieu thereof “reentry, operation of a launch vehicle or reentry vehicle, or operation of a launch site or reentry site,”;

(ii) by striking “or” at the end of paragraph (1);

(iii) by inserting “reentry,” after “launch,” in paragraph (2);

(iv) by striking the period at the end of paragraph (2) and inserting in lieu thereof “; or”;

(v) by adding at the end the following new paragraph:

“(3) any amateur and similar small rocket activities, as defined by the Secretary by regulation.”;

(16) in section 70119, by inserting the following after paragraph (2):

“There are authorized to be appropriated to the Secretary of Transportation \$6,000,000 to carry out this chapter for fiscal year 1996. None of the funds authorized by this section may be expended for policy development or analysis activities not directly related to the Secretary’s regulatory responsibilities under this chapter.”.

(b) ADDITIONAL AMENDMENTS.—(1) Section 70105 of title 49, United States Code, is amended—

(A) by inserting “(1)” before “A person may apply” in subsection (a);

(B) by striking “receiving an application” both places it appears in subsection (a) and inserting in lieu thereof “accepting an application in accordance with criteria established pursuant to subsection (b)(2)(D)”;

(C) by adding at the end of subsection (a) the following new paragraph:

“(2) In carrying out paragraph (1), the Secretary may establish procedures for certification of the safety of a launch vehicle, reentry vehicle, or safety system, procedure, service, or personnel that may be used in conducting licensed commercial space launch or reentry activities.”;

(D) by striking “and” at the end of subsection (b)(2)(B);

(E) by striking the period at the end of subsection (b)(2)(C) and inserting in lieu thereof “; and”;

(F) by adding at the end of subsection (b)(2) the following new subparagraph:

“(D) regulations establishing criteria for accepting or rejecting an application for a license under this chapter within 60 days after receipt of such application.”; and

(G) by inserting “, or the requirement to obtain a license,” after “waive a requirement” in subsection (b)(3).

(2) The amendment made by paragraph (1)(B) shall take effect upon the effective date of final regulations issued pursuant to section 70105(b)(2)(D) of title 49, United States Code, as added by paragraph (1)(F) of this subsection.

(3) Section 70102(5) of title 49, United States Code, is amended—

(A) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively; and

(B) by inserting before subparagraph (B), as so redesignated by subparagraph (A) of this paragraph, the following new subparagraph:

“(A) activities directly related to the preparation of a launch site or payload facility for one or more launches.”.

(4) Section 70103(b) of title 49, United States Code, is amended—

(A) in the subsection heading, as amended by subsection (a)(4)(A) of this section, by inserting “AND STATE SPONSORED SPACEPORTS” after “AND REENTRIES”; and

(B) in paragraph (1), by inserting “and State sponsored spaceports” after “private sector”.

(5) Section 70105(a)(1) of title 49, United States Code, as amended by subsection (b)(1) of this section, is amended by inserting at the end the following: “The Secretary shall submit to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a written notice not later than 7 days after any occurrence when a license is not issued within the deadline established by this subsection.”.

(6) Section 70111 of title 49, United States Code, is amended—

(A) in subsection (a)(1), by inserting after subparagraph (B) the following:

"The Secretary shall establish criteria and procedures for determining the priority of competing requests from the private sector and State governments for property and services under this section.";

(B) by striking "actual costs" in subsection (b)(1) and inserting in lieu thereof "additive costs only"; and

(C) by inserting after subsection (b)(2) the following new paragraph:

"(3) The Secretary shall ensure the establishment of uniform guidelines for, and consistent implementation of, this section by all Federal agencies."

(7) Section 70112 of title 49, United States Code, is amended—

(A) in subsection (a)(1), by inserting "launch, reentry, or site operator" after "(1) When a";

(B) in subsection (b)(1), by inserting "launch, reentry, or site operator" after "(1)A"; and

(C) in subsection (f), by inserting "launch, reentry, or site operator" after "carried out under a".

SEC. 242. OFFICE OF AIR AND SPACE COMMERCIALIZATION AUTHORIZATION.

There are authorized to be appropriated to the Secretary of Commerce for the activities of the Office of Air and Space Commercialization, \$457,000 for fiscal year 1996.

SEC. 243. REQUIREMENT FOR INDEPENDENT COST ANALYSIS.

The Chief Financial Officer for the National Aeronautics and Space Administration shall be responsible for conducting independent cost analyses of all new projects estimated to cost more than \$5,000,000 and shall report the results annually to Congress at the time of the submission of the President's budget request. In developing cost accounting and reporting standards for carrying out this section, the Chief Financial Officer shall, to the extent practicable and consistent with other laws, solicit the advice of expertise outside of the National Aeronautics and Space Administration.

SEC. 244. NATIONAL AERONAUTICS AND SPACE ACT OF 1958 AMENDMENTS.

(a) DECLARATION OF POLICY AND PURPOSE.—Section 102 of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2451) is amended—

(1) by striking subsection (e) and redesignating subsections (f) through (h) as subsections (e) through (g), respectively; and

(2) in subsection (g), as so redesignated by paragraph (1) of this subsection, by striking "(f), and (g)" and inserting in lieu thereof "and (f)".

(b) REPORTS TO THE CONGRESS.—Section 206(a) of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2476(a)) is amended—

(1) by striking "January" and inserting in lieu thereof "May"; and

(2) by striking "calendar" and inserting in lieu thereof "fiscal".

(c) DISCLOSURE OF TECHNICAL DATA.—Section 303 of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2454) is amended—

(1) in subsection (a)(C), by inserting "or (c)" after "subsection (b)"; and

(2) by adding at the end the following new subsection:

"(c)(1) The Administration may delay for a period not to exceed 5 years the unrestricted public disclosure of technical data in the possession of, or under the control of, the Administration that has been generated in the performance of experimental, developmental, or research activities or programs funded jointly by the Administration and the private sector.

"(2) Within 1 year after the date of the enactment of the National Aeronautics and

Space Administration Authorization Act, Fiscal Year 1996, the Administrator shall issue regulations to carry out this subsection. Paragraph (1) shall not take effect until such regulations are issued.

"(3) Regulations issued pursuant to paragraph (2) shall include—

"(A) guidelines for a determination of whether data is technical data within the meaning of this subsection;

"(B) a requirement that a determination described in subparagraph (A) that particular data is technical data shall be reported to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate;

"(C) provisions to ensure that technical data is available for dissemination within the United States to United States persons and entities in furtherance of the objective of maintaining leadership or competitiveness in civil and governmental aeronautical and space activities by the United States industrial base; and

"(D) a specification of the period or periods for which the delay in unrestricted public disclosure of technical data is to apply to various categories of such data, and the restrictions on disclosure of such data during such period or periods, including a requirement that the maximum 5-year protection under this subsection shall not be provided unless at least 50 percent of the funding for the activities or programs is provided by the private sector.

"(4) Along with the initial publication of proposed regulations under paragraph (2), the Administrator shall include a list of those experimental, developmental, or research activities or programs conducted by, or funded in whole or in part by, the Administration that may result in products or processes of significant value in maintaining leadership or competitiveness in civil and governmental aeronautical and space activities by the United States industrial base. Such list shall be updated biannually.

"(5) For purposes of this subsection, the term 'technical data means any recorded information, including computer software, that is or may be directly applicable to the design, engineering, development, production, manufacture, or operation of products or processes that may have significant value in maintaining leadership or competitiveness in civil and governmental aeronautical and space activities by the United States industrial base.'"

SEC. 245. PROCUREMENT.

(a) PROCUREMENT DEMONSTRATION PROGRAM.—

(1) IN GENERAL.—The Administrator shall establish within the Office of Space Access and Technology a program of expedited technology procurement for the purpose of demonstrating how innovative technology concepts can rapidly be brought to bear upon space missions of the National Aeronautics and Space Administration.

(2) PROCEDURES AND EVALUATION.—The Administrator shall establish procedures for actively seeking from persons outside the National Aeronautics and Space Administration innovative technology concepts, relating to the provision of space hardware, technology, or service to the National Aeronautics and Space Administration, and for the evaluation of such concepts by the National Aeronautics and Space Administration's Advisory Council against mission requirements.

(3) REQUIREMENT.—At least 1 percent of amounts authorized to be appropriated under section 212(a)(4) shall be used for innovative technology procurements that are determined under paragraph (2) of this subsection to meet mission requirements.

(4) SPECIAL AUTHORITY.—In order to carry out this subsection the Administrator shall recruit and hire for limited term appointments persons from outside the National Aeronautics and Space Administration with special expertise and experience related to the innovative technology concepts with respect to which procurements are made under this subsection.

(5) SUNSET.—This subsection shall cease to be effective 10 years after the date of its enactment.

(b) TECHNOLOGY PROCUREMENT INITIATIVE.—

(1) IN GENERAL.—The Administrator shall coordinate National Aeronautics and Space Administration resources in the areas of procurement, commercial programs, and advanced technology in order to—

(A) fairly assess and procure commercially available technology from the marketplace in the most efficient manner practicable;

(B) achieve a continuous pattern of integrating advanced technology from the commercial sector, and from Federal sources outside the National Aeronautics and Space Administration, into the missions and programs of the National Aeronautics and Space Administration;

(C) incorporate private sector buying and bidding procedures, including fixed price contracts, into procurements; and

(D) provide incentives for cost-plus contractors of the National Aeronautics and Space Administration to integrate commercially available technology in subsystem contracts on a fixed-price basis.

(2) CERTIFICATION.—Upon solicitation of any procurement for space hardware, technology, or services that are not commercially available, the Administrator shall certify, by publication of a notice and opportunity to comment in the Commerce Business Daily, for each such procurement action, that no functional equivalent, commercially, available space hardware, technology, or service exists and that no commercial method of procurement is available.

SEC. 246. ADDITIONAL NATIONAL AERONAUTICS AND SPACE ADMINISTRATION FACILITIES.

The Administrator shall not construct or enter into a new lease for facilities to support National Aeronautics and Space Administration programs unless the Administrator has certified to the Congress that the Administrator reviewed existing National Aeronautics and Space Administration and other federally owned facilities, including military facilities scheduled for closing or reduction, and found no such facilities appropriate for the intended use.

SEC. 247. PURCHASE OF SPACE SCIENCE DATA.

(a) IN GENERAL.—To the maximum extent possible, the National Aeronautics and Space Administration shall purchase from the private sector space science data. Examples of such data include scientific data concerning the elemental and mineralogical resources of the moon and the planets, Earth environmental data obtained through remote sensing observations, and solar storm monitoring.

(b) COMPETITIVE BIDDING.—(1) Contracts for the purchase of space data under this section shall be awarded in a process of full, fair, and open competitive bidding.

(2) Submission of cost data, either for the purposes of supporting the bid of fulfillment of the contract, shall not be required of bidders.

(3) Conformance with military specifications (Milspec) or National Aeronautics and Space Administration specifications systems with respect to the design, construction, or operation of equipment used in obtaining space science data under contracts entered

into under this section shall not be a requirement for a commercial provider bidding to provide such services.

(4) Contracts under this section shall not provide for the Federal Government to obtain ownership of data not specifically sought by the Federal Government.

SEC. 248. REPORT OF MISSION TO PLANET EARTH.

(a) **REQUIREMENT.**—The Administrator shall, within 6 months after the date of the enactment of this Act, transmit to the Congress a report on Mission to Planet Earth.

(b) **CONTENTS.**—The plan required by subsection (a) shall include—

(1) an analysis of Earth observation systems of other countries and the ways in which the United States could benefit from such systems, including by eliminating duplication of effort;

(2) an analysis of how the Department of Defense's airborne and space sensor programs could be used in Mission to Planet Earth;

(3) a plan for infusing advanced technology into the Mission to Planet Earth program, including milestones and an identification of available resources;

(4) a plan to solicit proposals from the private sector on how to innovatively accomplish the most critical research on global climate change;

(5) an integrated plan for research in the Scientific Research and Mission to Planet Earth enterprises of the National Aeronautics and Space Administration;

(6) a plan for developing metrics and milestones to quantify the performance of work on Mission to Planet Earth; and

(7) an analysis of how the United States Government can—

(A) most effectively utilize space-based and airborne Earth remote sensing data, services, distribution, and applications provided by the United States private sector to meet Government goals for Mission to Planet Earth; and

(B) evaluate and foster commercial data sources, commercial archiving services, commercial applications, and commercial distribution of Mission to Planet Earth data.

SEC. 249. SHUTTLE PRIVATIZATION

(a) **POLICY AND PREPARATION.**—The Administrator shall prepare for an orderly transition from the Federal operation, or Federal management of contracted operation, of space transportation systems to the Federal purchase of commercial space transportation services for all nonemergency launch requirements, including human, cargo, and mixed payloads. In those preparations, the Administrator shall take into account the need for short-term economies, as well as the goal of restoring the National Aeronautics and Space Administration's research focus and its mandate to promote the fullest possible commercial use of space. As part of those preparations, the Administrator shall plan for the potential privatization of the Space Shuttle program.

(b) **REQUEST FOR PROPOSALS.**—Within 30 days after the date of the enactment of this Act, the Administrator shall publish in the Commerce Business Daily a request for proposals to achieve a single prime contract for the space shuttle program. The request for proposals shall include—

(1) a timetable and milestones for selecting a single prime contractor not later than September 30, 1996;

(2) criteria for selection of the single prime contractor;

(3) the annual target cost to be achieved by the single prime contractor;

(4) proposed terms and conditions of the single prime contract, including fee and incentives for achieving the target cost, and for savings below the target cost; and

(5) a requirement that each proposal be accompanied by a plan by the proposer to privatize the space shuttle program.

(c) **PRIVATIZATION PLANS.**—The Administrator shall forward all privatization plans received pursuant to subsection (b)(5) to the Congress not later than 30 days after the deadline for submitting proposals under subsection (b).

(d) **LIMITATION ON USE OF FUNDS.**—None of the funds authorized by this title shall be used to plan or prepare for Federal Government, or federally contracted, operation of the Space Shuttle beyond the year 2012, nor for studying, designing, or developing upgrades to the Shuttle whose sole purpose is to extend the operational life of the Space Shuttle system beyond 2012. Nothing in this title shall preclude the Federal, or federally contracted, operation of the Space Shuttle through the year 2012, or the privatized operation of the Space Shuttle after the year 2012.

SEC. 250. AERONAUTICAL RESEARCH AND TECHNOLOGY FACILITIES.

Notwithstanding any other provision of law, no funds may be obligated for fiscal year 1996 for Aeronautical Research and Technology programs of the National Aeronautics and Space Administration in excess of amounts authorized by this title, except to the extent that the Administrator receives from non-Federal sources full reimbursement of such excess amounts through payment of costs associated with research at the aeronautical research and technology facilities of the National Aeronautics and Space Administration.

SEC. 251. LAUNCH VOUCHER DEMONSTRATION PROGRAM AMENDMENTS.

Section 504 of the National Aeronautics and Space Administration Authorization Act, Fiscal Year 1993 (15 U.S.C. 5803) is amended—

(1) in subsection (a)—

(A) by striking "the Office of Commercial Programs within"; and

(B) by striking "Such program shall not be effective after September 30, 1995.";

(2) by striking subsection (c); and

(3) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

SEC. 252. PRIVATIZATION OF MICROGRAVITY PARABOLIC FLIGHT OPERATIONS.

(a) **FINDING.**—The Congress finds that no national security or mission critical justification exists for the National Aeronautics and Space Administration to maintain its own fleet of aircraft to provide a short duration microgravity environment via parabolic flight.

(b) **PRIVATIZATION OF FLIGHT OPERATIONS.**—

(1) The Administrator shall privatize all parabolic flight aircraft operations conducted by or for the National Aeronautics and Space Administration in support of microgravity research, astronaut training, and other functions, through issuance of one or more long-term, renewable, block purchase contracts for the performance of such operations by United States private sectors providers.

(2) Within 30 days after the date of the enactment of this Act, the Administrator shall issue a request for proposals to provide services as described in paragraph (1). The Administrator shall coordinate the process of review of such proposals, and shall oversee the transfer of such operations to the private sector.

(3) Within 6 months after the issuance of a request for proposals under paragraph (2), the Administrator shall award one or more contracts for microgravity parabolic flight services, and shall cease all National Aeronautics and Space Administration-operated parabolic aircraft flights, and shall there-

after procure all microgravity parabolic flight services from private sector providers. National Aeronautics and Space Administration experimenters, and National Aeronautics and Space Administration-funded experimenters, who would otherwise use National Aeronautics and Space Administration-owned or operated microgravity parabolic flight aircraft, shall be issued vouchers for the procurement of microgravity parabolic flight services from the private sector.

SEC. 253. ELIGIBILITY FOR AWARDS.

(a) **IN GENERAL.**—The Administrator shall exclude from consideration for awards of financial assistance made by the National Aeronautics and Space Administration after fiscal year 1995 any person who received funds, other than those described in subsection (b), appropriated for a fiscal year after fiscal year 1995, from any Federal funding source for a project that was not subjected to a competitive, merit-based award process. Any exclusion from consideration pursuant to this section shall be effective for a period of 5 years after the person receives such Federal funds.

(b) **EXCEPTION.**—Subsection (a) shall not apply to awards to persons who are members of a class specified by law for which assistance is awarded to members of the class according to a formula provided by law.

SEC. 254. PROHIBITION OF LOBBYING ACTIVITIES.

None of the funds authorized by this title shall be available for any activity whose purpose is to influence legislation pending before the Congress, except that this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to Members of Congress on the request of any Member or to Congress, through the proper channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business.

SEC. 255. LIMITATION ON APPROPRIATIONS.

(a) **EXCLUSIVE AUTHORIZATION FOR FISCAL YEAR 1996.**—Notwithstanding any other provision of law, no sums are authorized to be appropriated for fiscal year 1996 for the activities for which sums are authorized by this title unless such sums are specifically authorized to be appropriated by this title.

(b) **SUBSEQUENT FISCAL YEARS.**—No sums are authorized to be appropriated for any fiscal year after fiscal year 1996 for the activities for which sums are authorized by this title unless such sums are specifically authorized to be appropriated by Act of Congress with respect to such fiscal year.

SEC. 256. UNITARY WIND TUNNEL PLAN ACT OF 1949 AMENDMENTS.

The Unitary Wind Tunnel Plan Act of 1949 is amended—

(1) in section 101 (50 U.S.C. 511) by striking "transsonic and supersonic" and inserting in lieu thereof "transonic, supersonic, and hypersonic"; and

(2) in section 103 (50 U.S.C. 513)—

(A) by striking "laboratories" in subsection (a) and inserting in lieu thereof "laboratories and centers";

(B) by striking "supersonic" in subsection (a) and inserting in lieu thereof "transonic, supersonic, and hypersonic"; and

(C) by striking "laboratory" in subsection (c) and inserting in lieu thereof "facility".

The CHAIRMAN. Are there any amendments to title II?

AMENDMENT OFFERED BY MS. DUNN OF WASHINGTON

Ms. DUNN of Washington. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. DUNN: Page 29, line 18, insert “, of which at least \$2,000,000 is reserved for research and early detection systems for breast and ovarian cancer and other women’s health issues” after “\$293,200,000”.

Ms. DUNN of Washington. Mr. Chairman, my amendment will set aside \$2 million out of the \$293 million authorized for life and microgravity sciences and applications in this bill for research and for early detection systems for breast and ovarian cancer and other women’s issues.

Mr. Chairman, because of the unique microgravity environment space provides for research, new and effective approaches to diagnosing and treating breast and ovarian cancer tumors are being investigated in space labs in ways not possible on Earth. The low gravity of space allows cancer cells, actual human cancer cells, to be grown in a 3-dimensional form replicating those to be found in the human body. Developing technology to help eradicate breast cancer is not a new direction for NASA, but one that needs to be spotlighted as a continuing basis.

For example, technology that NASA has developed for the Hubbell space telescope is being applied at this time to digital mammography techniques that the National Cancer Institute hopes will lead to better treatments of breast cancer through even earlier detection. Right now, NASA and the National Cancer Institute have identified two technologies that hold promise for direct digital mammography with high resolution and a wide field of view that is necessary for early detection. They are now in the process of testing these diagnostic systems.

These advanced sensors and signal processors could boost the resolution of a mammogram and allow physicians to detect cancer soon after its onset.

Mr. SENSENBRENNER. Mr. Chairman, will the gentlewoman yield?

Ms. DUNN of Washington. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. Mr. Chairman, we are prepared to accept this amendment. The amendment reserves \$2 million of the life and microgravity science budget program specifically for research on the development of early detection systems for breast and ovarian cancers and other women’s health issues. Since it is my understanding that NASA has been working toward the aims of the gentlewoman’s amendment, and since this reservation of funds would not adversely impact other planned life sciences research by NASA, I would accept the amendment of my colleague, the gentlewoman from Washington, and commend it to my colleagues.

In fact, NASA and the National Institutes of Health have been engaged under 18 separate cooperative research agreements in a variety of fields. Our bill fully funds the \$4.2 million already planned for cancer-related research

under these NASA-NIH agreements. NASA has developed, using the Hubbell space telescope technologies, a revolutionary new detection system for the early identification of breast cancer. The system uses charged coupled devices developed by NASA for converting light from faint, distant stars into digital imagery. The same sensitive imaging technology is being used to conduct nonsurgical biopsies on women who may or may not have breast cancer, without leaving a scar. This is another example of how spinoffs from the space program are applied to solve very real problems on Earth, and is one of the reasons why the taxpayers’ investment in the space program pays dividends, not only in terms of finances, but also in terms of alleviating human suffering and detecting diseases early enough so they can be cured.

Ms. DUNN of Washington. Reclaiming my time, Mr. Chairman, I thank the gentleman. On behalf of the one in eight women who will be diagnosed with breast cancer this year, and the 46,000 women who die every year from this disease, and on behalf of those women who are diagnosed with ovarian cancer, who suffer from osteoporosis and other women’s health diseases, I thank the gentleman for his acceptance of my amendment, and ask my colleagues to support this amendment.

Mr. BROWN of California. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I rise for the purpose of adding my support for the gentlewoman’s proposal. I think it is meritorious and deserves the unanimous support of the House.

Mr. Chairman, if I may indulge very briefly under my time on a slightly different subject, my distinguished colleague on the other side, the gentleman from Pennsylvania [Mr. WALKER], mentioned my comments regarding cutting any agency by 33 percent, and he felt this represented some inconsistency on my part in discussing the 33-percent reductions in this bill. There are some slight differences here in that I was stating that a department could reduce its budget, and I was really being guided by the example of NASA. I know the gentleman will be familiar with this.

NASA began in 1991 to reduce its budget, and has succeeded in making the kind of a budget reduction that we are talking about here, roughly one-third over the next 5 years. It is being asked to take even more than that. The point here is that this did not come out of the muscle of research and development. A good part of that came by reducing the overhead of the agency here in Washington, making some other changes, including the kind urged on the Republican side to privatize or to contract for services, and under this combination of circumstances, namely, reducing the waste, fraud and abuse, and corporate overhead at the headquarters, and restructuring programs to put more in the private sector, you can make these

reductions. Unfortunately, those are not the kind of reductions called for in this bill. As a consequence, I still feel that they are extreme.

I did not use that in the sense of implying that anybody is an extremist who supports extreme cuts in the budget. I am just trying to point out the factuality of the situation. These cuts are larger, they impact R&D more, and they fall outside the scope of my own remark about how much budget cutting you could do if you include all the factors involved.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Washington, [Ms. DUNN].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT:

Page 79, after line 16, insert the following new section:

SEC. 257. USE OF ABANDONED AND UNDERUTILIZED BUILDINGS, GROUNDS, AND TO FACILITIES.

(a) IN GENERAL.—In meeting the needs of the National Aeronautics and Space Administration for additional facilities, the Administrator whenever feasible, shall select abandoned and underutilized buildings, grounds, and facilities in depressed communities that can be converted to National Aeronautics and Space Administration facilities at a reasonable cost, as determined by the Administrator.

(b) DEFINITIONS.—For purposes of this section, the term “depressed communities” means rural and urban communities that are relatively depressed, in terms of age of housing, extent of poverty, growth of per capita income, extent of unemployment, job lag, or surplus labor.

Page 3, after the item in the table of contents relating to section 256, insert the following:

Sec. 257. Use of abandoned and underutilized building, grounds, and facilities.

Mr. TRAFICANT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TRAFICANT. Mr. Chairman, this amendment deals with the fact that we provide for an opportunity, whenever feasible, that the administrator shall select abandoned facilities, underutilized buildings and grounds in depressed communities that can be converted to NASA facilities at a reasonable cost. Under the amendment, the term “depressed community” means both rural and/or urban communities.

Mr. SENSENBRENNER. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, we are prepared to accept the gentleman’s amendment, with

the modification that he had just described, by stating that the administrator, whenever feasible, shall select the abandoned and underutilized buildings. I believe the modified amendment makes a significant contribution to this bill, and I am glad that this side is able to work out the problems and to support his amendment.

Mr. BROWN of California. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from California.

Mr. BROWN of California. Mr. Chairman, in the case of the amendments of the gentleman from Ohio [Mr. TRAFICANT], I follow one general rule. If the gentleman can successfully persuade the Republicans to accept them, they must be good amendments, and I therefore go along with this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. TRAFICANT].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SCOTT

Mr. SCOTT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SCOTT:

Page 31, line 13, strike "\$826,900,000" and insert in lieu thereof "\$860,300,000"

Page 31, strike line 18 through line 22, and insert in lieu thereof the following:

(C) \$163,400,000 are authorized for Advanced Subsonic Technology;

□ 1330

Mr. SCOTT. Mr. Chairman, I am delighted to speak while everyone is in a cooperative mood.

Mr. Chairman, I appreciate the opportunity to offer this amendment to restore \$33.4 million in fund cuts from NASA's advanced subsonic technology request, which is one of the main components of NASA's aeronautics activity. Although I acknowledge and support the need to cut government spending where appropriate in order to meet our budget responsibilities, such a cut to NASA's aeronautics program is extremely counterproductive to our shared goals of creating a stronger economy and a stronger America.

Mr. Chairman, the aeronautics industry is responsible for this country's greatest positive balance of trade, \$30 billion, and without the research and support of NASA the U.S. aeronautics research would not be competitive in the global marketplace. It was, in fact, the purpose for which Congress created NASA in the first place.

Mr. Chairman, it is important to remember that Congress created NASA's predecessor, the National Advisory Committee on Aeronautics, the NACA, for the purpose of regaining America's competitiveness in aviation at a time of European dominance. Despite the early lead the country enjoyed as a result of the Wright Brothers' flight in 1903, by 1917 the Europeans had become the major force in aviation.

NACA established NASA Langley in Hampton, VA, as a research center to provide the United States with the

competitive edge it had lost to the Europeans by providing long-term research and some of the first successful public-private partnerships that helped the United States to regain its preeminence in aeronautics. Now, at a time when the Europeans are in high gear supporting research and development of the Airbus, we are poised to shoot ourselves in the foot again by cutting the very program that kept the United States aeronautics program competitive. We are on a fast track to the back seat status we suffered in 1917.

Mr. Chairman, this amendment, while not restoring all of the funds cut in NASA's very modest request, will enable these programs to continue at a responsible level, so that we can effectively continue our long-term research in fuel economy, in increased safety, reduced sonic boom, improved design, and reduced environmental impacts. Much of this research is considered high-risk, high-reward research, the very kind of research that private companies who have to be concerned about their quarterly profits are least likely to invest in until the research looks promising on a short-term basis. Considering the state of the national economy, we can ill-afford to reduce earned investment in long-term research in the aeronautics industry. NASA aeronautics works and is deserving for our continued support and attention.

Mr. Chairman, the House appropriations subcommittee, the Senate appropriations and authorizing committees have all fully funded this program. The committee bill is the only one to cut the advanced subsonic program by \$34.4 million. We should not contribute to the loss of U.S. preeminence in aeronautics. I urge the Members of both sides of the aisle to continue to support aeronautics and this country's economy by supporting this amendment.

Mr. SENSENBRENNER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, regretfully, the gentleman from Virginia [Mr. SCOTT] has fallen under the sway of what I call Washington math. He is claiming that this bill cuts the advanced subsonics program by an amount of money. It does not. This bill increases this program by 6 percent. The gentleman from Virginia wants to increase it by more. That is his prerogative. However, under the discretionary spending cap that was passed in 1993 by the Clinton budget, whenever we increase a discretionary spending account, we are supposed to reduce other discretionary spending accounts, and this amendment does not do that. It is just a plusing up of the advanced subsonic program without an offset anywhere else in NASA.

Now, apparently the amendment of the gentleman from Virginia [Mr. SCOTT] wants to pump that whole issue of what to cut off to the NASA Administrator. What our committee has attempted to do is to run NASA on as

tight a budget as possible. We are sick and tired of cost overruns at NASA. All of the accounts that we have put in this bill are under the new faster, better, cheaper NASA, and there really is not much play around for the Administrator to offset these other programs without underfunding them, and that is going to require stretch-outs and cost overruns in these other programs in the long run.

The gentleman from Virginia, if his amendment were to be responsible, should have identified where the offsets were, rather than leaving that decision being made to the executive branch. The fact of the matter remains that this bill increases the advanced subsonic program by 6 percent. It has been the determination of the Committee on Science that that is enough. I would hope that the House would accept the committee position and reject the amendment of the gentleman from Virginia for the reasons that I have stated.

Mr. BROWN of California. Mr. Chairman, I rise in support of the amendment of the gentleman from Virginia.

Mr. Chairman, I feel very strongly about the importance of this amendment for a number of reasons which I will try to categorize. For one thing, it reflects a primary opportunity to discuss really whether we think that money spent to encourage and aid industry in their work is corporate welfare. I think we all know that over the past decade or so, the threat to the American aerospace industry's once virtual monopoly of long-distance air carriers comes from places like France where the European Airbus received something like \$2 billion a year in outright subsidies from their government, and in other countries of the world, including potentially our Asian competitors where they do not hesitate to not only direct the direction of research and development in air transportation as other things, but to fund it quite handsomely.

Now, what the gentleman from Virginia [Mr. SCOTT] is proposing is a modest increase in the amount contained in this account for aircraft research, subsonic research, not up to the level of the President's request, but certainly more than is contained in this bill, even though this bill has what is essentially a cost-of-living increase, as the gentleman mentioned, about a 6-percent increase over 1995.

Mr. Chairman, what is happening is that the international competition in this field is increasing. If we are to walk away from that and say to France and to Japan and to other countries, you go ahead and continue to subsidize and with each additional \$1 billion, you can take an additional *x* percent of the global market and we are just going to walk away from that and let you have it. That is essentially what we are saying.

Now, is that what the experts in this country have suggested? I am going to

just quote from the findings of the National Research Council which has reviewed this situation recently, and it says as follows: "NASA should emphasize the development of advanced aeronautical technology in the following order: Advanced subsonic aircraft." That is the first priority. That is what this amendment is directed at. Then, "high-speed supersonic aircraft. Second NASA should work with aircraft manufacturers, the airline industry, and the FAA to bring about major improvements in the utility and safety of the global air traffic management system."

Another part of the language in this bill, which the gentleman's amendment would strike, prohibits NASA from continuing to cooperate with the FAA on air traffic management. That in itself is justification for the gentleman's amendment. It has nothing to do with the dollar amount.

Again, quoting from the National Research Council: "The magnitude of NASA's civil aeronautics budget should be increased."

Mr. SENSENBRENNER. Mr. Chairman, will the gentleman yield?

Mr. BROWN. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. Mr. Chairman, if all of this is so important, how come you could not identify where to offset this increase in other NASA accounts? The amendment is silent on that.

Mr. BROWN of California. Mr. Chairman, the amendment is deliberately silent on this because we think that the caps imposed upon the subcommittee by the chairman have no basis in law and certainly no merit. The budget language was nothing to do with it, so there is no need for an offset.

Mr. SENSENBRENNER. If the gentleman will yield further, maybe that is the difference between a Congress that ran up a \$5 trillion debt and a Congress that wants to balance the budget.

Mr. BROWN of California. Well, Mr. Chairman, the gentleman from Wisconsin [Mr. SENSENBRENNER] has already acknowledged that it was under the Republicans that the budget got out of balance.

Mr. SENSENBRENNER. Mr. Chairman, if the gentleman will yield further, the Republicans have not controlled this House for 40 years and Congress has the power of the purse, unless someone changed the Constitution when we were not looking.

Mr. BROWN of California. Well, Mr. Chairman, the response to that, the rebuttal, is that the Republican President could have vetoed the Democratic Congress on these bills if he wished to, and he chose not to.

Mr. SENSENBRENNER. Will the gentleman yield further?

Mr. BROWN of California. Absolutely.

Mr. SENSENBRENNER. As a matter of fact, the Republican President did veto spending bills and got overridden by Congress.

Mr. BROWN of California. Including a lot of Republicans who obviously must have voted to override them.

Now, this detracts a little from the point that we are trying to make. In this amendment, we have a confrontation with the philosophy that is involved in most of these cuts, namely that they are corporate welfare.

The CHAIRMAN. The time of the gentleman from California [Mr. BROWN] has expired.

(By unanimous consent, Mr. BROWN of California was allowed to proceed for 1 additional minute.)

Mr. BROWN of California. Mr. Chairman, just for the purpose of making a adequate summary, I would say that this is a confrontation of ideology. It is also a matter which threatens the economic future of this country, because the export of aircraft, transcontinental airplanes, represents the largest or the next-to-the-largest favorable-balance-of-trade item in the American economy. Do we want to continue to have that eroded under the pious hope that the private aircraft companies in this country can make up for those billions of dollars in subsidies that are coming from the governments of these other countries, or do we want to do something recommended by the industry, recommended by the scientific community, recommended by anyone who has any expertise in this area, that we do our best to remain competitive in the global economy? This amendment would help us to do that.

Mr. WALKER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, this is an interesting amendment, and the gentleman from California [Mr. BROWN] has defined it, I think, well. He said that the idea of putting caps on spending has no merit, and that what they are arguing is that there is absolutely no merit to the idea of capping budgets and thereby to try to reduce spending.

Mr. BROWN of California. Mr. Chairman, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from California.

Mr. BROWN of California. Mr. Chairman, the gentleman has misstated my position. The gentleman from Pennsylvania [Mr. WALKER] knows that I voted for a balanced budget amendment that balances the budget in 7 years and contains all of the discipline necessary to do that. The gentleman did not like that particular budget, so now he is accusing me of not supporting caps. I think that is unjust.

Mr. WALKER. Mr. Chairman, reclaiming my time, the gentleman voted for a balanced budget, but he has steadily come to the floor and refused to do anything to enforce the balanced budget that the House actually passed. The gentleman voted for a balanced budget that did not pass. We voted for a balanced budget that did pass.

What you have to do in order to bring about a balanced budget is not just take credit for having passed this wonderful vote that you can go back home

and tell the people, I voted for a balanced budget. You have to actually enforce it. You have to actually do something to cut the spending to make the balanced budget work.

That is what caps are all about. Caps are all about doing the enforcement necessary to actually balance the budget. The gentleman chafes under that.

Mr. SENSENBRENNER. Mr. Chairman, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. Mr. Chairman, I seem to recall in the 1993 budget agreement which was passed by a single party in Congress and signed by President Clinton, there was a discretionary spending cap which meant that if one account at any discretionary spending area was increased, there had to be a dollar-for-dollar offset in other accounts. Now, this amendment that has been proposed by the gentleman from Virginia [Mr. SCOTT] does not even pass the test that was imposed by President Clinton 2 years ago, because there is no offset there.

□ 1345

Mr. WALKER. Sure. The point is that what they want to do is they just want to go on spending as though spending was not a problem; that you can have balanced budgets but, oh, by the way, spend for everything imaginable.

I have been watching some of the things on television where other committees are having their deliberations, and guess what? Every ranking member talks about how we ought not to have any caps on their spending. They have got a very important area, does not matter what it is, just keep spending the money, so we come to the floor here and we hear about spending the money.

This is a particularly interesting one that the gentleman from Virginia has brought forward, because the fact is that in high speed research where you are doing the actual work toward developing the next generation of aircraft, we increase the budget. We increase the budget by as much as the President wanted to increase the budget. So we are doing the leading edge research, but what the gentleman from Virginia is proposing is that we ought to do work in subsonic research.

Just so we get the terminology so people can understand it, subsonic research is the planes that we already fly. All these planes fly at speeds below the speed of sound. So it is the planes that we already know how to build and know how to fly, and they want to increase the research dollars in that area.

What we are suggesting is that maybe industry could help us do the research in those areas where they already are building the airplanes. There are multi-billion-dollar Fortune 500 companies that are involved in doing this work. We are suggesting that maybe they ought to share in some of

that research, while the Federal Government picks up the tab, an increasing tab, if you will, for those things in the high speed research areas.

It seems to me that that makes some sense. If you are going to balance the budget, let us have some shared resources. Let us have the Federal Government do the work of actually doing the fundamental work that business and industry probably cannot pick up because there is no market share in that. But where there is a market share, maybe we can have a shared program.

We are not suggesting wiping out the money for subsonic research. All we are doing is suggesting that some of the money could be cut back and the industry could come in and share part of the burden. Good heavens, that does not seem like an extreme or radical notion.

These are big companies. They are paying big dividends. They have the ability to do some of these kinds of things, particularly if the gentleman from California is correct that that is where the increase in the market is going to be for the future. Any good businessman I know wants to be a part of increasing the market for the future. Good heavens, what we are proposing here is giving them their opportunity to do it their own way, to put some of their own resources in it to make certain that we are driven in the direction that allows them to exploit that market.

The Democrats who simply believe that Government always is the right solution to everything cannot accept the fact that these kinds of partnerships are good things for the country. So what we have here is an amendment that suggests increasing the amount of money that goes to this program at the detriment to virtually everything else in the NASA budget, and in the end the real drive here is to spend infinitely more money overall for NASA. Defeat the amendment.

Mr. TRAFICANT. Mr. Chairman, I move to strike the requisite number of words, and I yield to the gentleman from California [Mr. BROWN], the distinguished ranking member.

Mr. BROWN of California. Mr. Chairman, the Members on the other side have made some interesting statements which I think deserve to be responded to. This last dialogue, for example, which indicates that there has been increased funding for supersonic research and development and that is justified, apparently that is good research or whatever they choose to dignify it with as a name in order to get it in the budget. But the subsonic research, which is essential to our competitive posture in the world, that is bad science or corporate welfare, whichever way they choose to define it, and they use both terms.

The fact is that supersonic air transport has been conventional for the last generation. The Concorde is a supersonic transport, and it has been flying

for a generation. The United States had a competing supersonic transport and decided not to proceed with it because based upon economic analysis, it would go bankrupt. We were somewhat more subjected to the rigors of the market because we were not subsidizing our supersonic transport like the French are funding theirs, subsidizing theirs.

So the argument that it is OK to fund the supersonic transport but not the subsonic, when the basic market is in the subsonic and nobody is ever going to make much money off the supersonic, it seems to me to be a little naive. It means we are going to waste one hell of a lot of money on something that the French do not want to waste money on because they have already lost too much money, but we do not want to put money into the area where the French are stealing our market, and it is a big market. That is not common sense. I think that we ought to consider that as we look at this amendment before us.

The argument actually really does get us involved in fantasy land to some degree, and it is also illustrated by the constant referral to the fact that the gentleman from California is some sort of a nut who does not believe in fiscal discipline and cannot enforce caps. The fact is that those nuts who think like I do over in the Senate have already voted the amount of money that we are requesting here. They have set their caps at considerably above the caps—

POINT OF ORDER

Mr. SENSENBRENNER. Mr. Chairman, point of order. I believe it is against the rules to refer to proceedings in the other body.

The CHAIRMAN. The gentleman should avoid characterization of Members of the other body.

Mr. BROWN of California. Is the gentleman specifically referring to my use of the term "those nuts in the other body"? I will refrain from using that term.

The CHAIRMAN. The gentleman will refrain.

Mr. BROWN of California. The gentlemen in the other body have already adopted a cap—

Mr. SENSENBRENNER. Point of order, Mr. Chairman. The gentleman cannot do that, either.

The CHAIRMAN. The gentleman will refrain from referring to Members of the other body.

Mr. BROWN of California. Would the Chair instruct me as to how we should refer to the Members of the Senate?

The CHAIRMAN. The gentlemen should not refer to Members of the Senate.

Mr. BROWN of California. That is an almost insurmountable handicap to my argument here.

Mr. Chairman, I would like to point out that in some magical way, the authorization and appropriation bills which we will be called upon to consider in conference already have the amount of money in it. The gentleman

from Virginia [Mr. SCOTT] referred to that earlier when he made his presentation. I forget how he got away with it, but he pointed out that that money was there.

The other side is arguing that it is both illegal, immoral, and probably fattening for us to do the same thing. I am a little chagrined to have that kind of a characterization made. If the gentleman would like to explain to me how what we want to do here is immoral and illegal but what is happening on the other side, if I can get away with that term, is perfectly all right, even though it has what we are trying to do in it here.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Virginia [Mr. SCOTT].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. SCOTT. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 139, noes 281, not voting 12, as follows:

[Roll No. 701]

AYES—139

Abercrombie	Foglietta	Oberstar
Ackerman	Ford	Olver
Baldacci	Frank (MA)	Ortiz
Barcia	Frost	Owens
Bateman	Furse	Pastor
Becerra	Gejdenson	Payne (NJ)
Beilenson	Gephardt	Payne (VA)
Bentsen	Gibbons	Pelosi
Berman	Gonzalez	Peterson (FL)
Bevill	Green	Pickett
Bishop	Hall (OH)	Rahall
Bonior	Harman	Rangel
Borski	Hastings (FL)	Reed
Boucher	Hefner	Richardson
Browder	Hilliard	Rivers
Brown (CA)	Hinchey	Roemer
Brown (FL)	Hoke	Rose
Brown (OH)	Horn	Roybal-Allard
Bryant (TX)	Houghton	Rush
Cardin	Hoyer	Sabo
Clay	Jackson-Lee	Sanders
Clayton	Jefferson	Sawyer
Clyburn	Johnson, E. B.	Schroeder
Coleman	Johnston	Scott
Collins (IL)	Kennedy (MA)	Serrano
Collins (MI)	Kennedy (RI)	Sisisky
Conyers	Kildee	Skaggs
Cramer	Lantos	Spratt
de la Garza	Levin	Stokes
DeFazio	Lewis (GA)	Studds
DeLauro	Lofgren	Thompson
Dellums	Maloney	Thornton
Deutsch	Manton	Towns
Dicks	Markey	Velazquez
Dingell	Martinez	Vento
Dixon	Matsui	Visclosky
Dooley	McDermott	Volkmer
Durbin	McHale	Ward
Edwards	McKinney	Watt (NC)
Engel	Meek	Waxman
Eshoo	Mfume	Wise
Evans	Miller (CA)	Woolsey
Farr	Mink	Wyden
Fattah	Mollohan	Wynn
Fazio	Moran	Yates
Filner	Nadler	
Flake	Neal	

NOES—281

Allard	Baker (LA)	Bass
Andrews	Ballenger	Bereuter
Archer	Barr	Bilbray
Armey	Barrett (NE)	Bilirakis
Bachus	Barrett (WI)	Bliley
Baessler	Bartlett	Blute
Baker (CA)	Barton	Boehrlert

Boehner	Hastert	Packard
Bonilla	Hastings (WA)	Pallone
Bono	Hayes	Parker
Brewster	Hayworth	Paxon
Brownback	Hefley	Peterson (MN)
Bryant (TN)	Heineman	Petri
Bunn	Herger	Pombo
Bunning	Hilleary	Pomeroy
Burr	Hobson	Porter
Burton	Hoekstra	Portman
Buyer	Holden	Poshard
Callahan	Hostettler	Pryce
Calvert	Hunter	Quillen
Camp	Hutchinson	Quinn
Canady	Hyde	Radanovich
Castle	Inglis	Ramstad
Chabot	Istook	Regula
Chambliss	Jacobs	Riggs
Chenoweth	Johnson (CT)	Roberts
Christensen	Johnson (SD)	Rogers
Chrysler	Johnson, Sam	Rohrabacher
Clement	Jones	Ros-Lehtinen
Clinger	Kanjorski	Roth
Coble	Kaptur	Roukema
Coburn	Kasich	Royce
Collins (GA)	Kelly	Salmon
Combest	Kim	Sanford
Condit	King	Saxton
Cooley	Kingston	Scarborough
Costello	Klecza	Schaefer
Cox	Klink	Schiff
Coyne	Klug	Schumer
Crane	Knollenberg	Seastrand
Crapo	Kolbe	Sensenbrenner
Cremeans	LaFalce	Shadegg
Cubin	LaHood	Shaw
Cunningham	Largent	Shays
Danner	Latham	Shuster
Davis	LaTourette	Skeen
Deal	Laughlin	Skelton
DeLay	Lazio	Slaughter
Diaz-Balart	Leach	Smith (MI)
Doggett	Lewis (CA)	Smith (NJ)
Doolittle	Lewis (KY)	Smith (TX)
Doyle	Lightfoot	Smith (WA)
Dreier	Lincoln	Solomon
Duncan	Linder	Souder
Dunn	Lipinski	Spence
Ehlers	Livingston	Stark
Ehrlich	LoBiondo	Stearns
Emerson	Longley	Stenholm
English	Lowe	Stockman
Ensign	Lucas	Stump
Everett	Luther	Stupak
Ewing	Manzullo	Talent
Fawell	Martini	Tanner
Fields (TX)	Mascara	Tate
Flanagan	McCarthy	Tauzin
Foley	McCollum	Taylor (MS)
Forbes	McCrery	Taylor (NC)
Fowler	McDade	Thomas
Fox	McHugh	Thornberry
Franks (CT)	McInnis	Thurman
Franks (NJ)	McIntosh	Tiahrt
Frelinghuysen	McKeon	Torkildsen
Frisa	McNulty	Torricelli
Funderburk	Meehan	Traficant
Galleghy	Menendez	Upton
Ganske	Metcalf	Vucanovich
Gekas	Meyers	Waldholtz
Geren	Mica	Walker
Gilchrest	Miller (FL)	Walsh
Gillmor	Minge	Wamp
Gilman	Molinari	Watts (OK)
Goodlatte	Montgomery	Weldon (FL)
Goodling	Moorhead	Weldon (PA)
Gordon	Morella	Weller
Goss	Myers	White
Graham	Myrick	Whitfield
Greenwood	Nethercutt	Wicker
Gunderson	Neumann	Williams
Gutierrez	Ney	Wolf
Gutknecht	Norwood	Young (AK)
Hall (TX)	Nussle	Young (FL)
Hamilton	Obey	Zeliff
Hancock	Orton	Zimmer
Hansen	Oxley	

NOT VOTING—12

Chapman	Kennelly	Torres
Dickey	Moakley	Tucker
Dornan	Murtha	Waters
Fields (LA)	Tejeda	Wilson

□ 1414

The Clerk announced the following pair:

On this vote:

Mr. Moakley for, with Mr. Dornan against.

Mrs. SMITH of Washington, Mr. COYNE, and Mr. GILMAN changed their vote from "aye" to "no."

Ms. MCKINNEY and Messrs. NADLER, LANTOS, and HOKE changed their vote from "no" to "aye." So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. YOUNG OF ALASKA

Mr. YOUNG of Alaska. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. YOUNG of Alaska: No. 19: Page 79, after line 16, insert the following new section:

SEC. 257. CLARIFICATION OF MAJOR FEDERAL ACTION.

The licensing of a launch vehicle or launch site operator by the Secretary of Transportation and any amendment, extension, or renewal thereof, shall not be considered a major Federal action significantly affecting the quality of the human environment for purposes of section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332).

Page 3, in the table of contents for subtitle C of title II, insert the following after the item relating to section 256:

"Sec. 257. Clarification of major Federal action."

□ 1415

Mr. MILLER of California. Mr. Chairman, I reserve a point of order against the amendment offered by the gentleman from Alaska [Mr. YOUNG].

The CHAIRMAN. A point of order is reserved.

The Chair recognizes the gentleman from Alaska [Mr. YOUNG] for 5 minutes.

Mr. YOUNG of Alaska. Mr. Chairman, I do hope my good friend on the committee will not raise the point of order.

The background for this amendment, the National Environmental Protection Act, requires involvement of Federal agencies when activities constitute a major Federal action. Commercial Space Transportation Act requires the Department of Transportation to license launch vehicles and launch site operators. Department of Transportation, DOT, has determined licensing among constituents, alone constituents, major Federal action. It is acting as middleman in interpretation of NEPA requirements. Little or no Federal funding involved in the manufacturing, and structure and operation of launch sites or launch-like sites.

Problem: DOT's interpretation of NEPA has increased regulatory burden and cost of compliance with NEPA.

If I may continue, the problems are that DOT's interpretation of NEPA has increased regulatory burden and costs of compliance with NEPA. DOT requires extensive paperwork which is duplicative of the NEPA requirements.

I want to stress that. This duplicates what is already put in place by NEPA.

DOT has determined that it is a decisionmaker regarding whether environmental assessment is adequate or more costly. Time and money environmental impact statement is required.

Now I have a solution. This is what my amendment does:

Solution that eliminates DOT as the middleman or the interpreter of NEPA requirements. No NEPA requirements will be waived.

I want to stress that, my good friend from California. State governments and other Federal agencies will interpret NEPA requirements. The result will be streamlined regulatory process industry, more efficient, better able to compete with international marketplace.

Mr. Chairman, this is a good amendment, and there is really nothing wrong with it. If my colleagues want to discuss the merits of it, let us discuss the merits, but what has happened, we have an agency here that has put itself in a position to interpretation when it is already in place with NEPA, and this is one of the reasons we have such a problem today in being competitive and so much disruption for the general public. It is why should two agencies be involved in something when we waive nothing, when NEPA sets down the requirements, when we have DOT saying this is what they interpret what NEPA interprets? It is an example of overgoverning what we are attempting to do, and in no way does this weaken, nor does it take away, a right of any group, or a right of a State or a committee to participate in the process.

It is a good amendment, Mr. Chairman, and I urge the passage of the amendment.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from California [Mr. MILLER] insist on his point of order?

Mr. MILLER of California. Mr. Chairman, I press my point of order that this amendment is not germane to the bill being amended and, therefore, violates clause 7 of rule XVI of the House rules, the general rule of germaneness.

As the gentleman has pointed out in his arguments on behalf of his amendment, this is about amending or providing an exemption to the National Environmental Policy Act and not about the facilities of the authorizations under this act or under this title, and, therefore, I believe it to be a non-germane amendment and, therefore, out of order for consideration at this time.

The CHAIRMAN. Are there any other Members who wish to be heard on the point of order?

Mr. YOUNG of Alaska. Mr. Chairman, I regret that the gentleman from California [Mr. MILLER] raised the point of order. It may be, in fact, subject to a point of order. But this amendment is an example of what should be done.

No one gave DOT the authority to which they are proving today. By duplicating what NEPA is doing, to slow

up the process of issuing a launch site or launch vehicle; now that is an example of, I must say so, of why this Congress has allowed the agencies to run this country and why the people are upset. And if we cannot, in fact, and if the gentleman from Illinois would like to speak to me, I will speak to him, too, if in fact we cannot interpret what is in reality wrong in this Government by this body, then we are not doing our jobs, and I would withdraw the amendment.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Alaska?

There was no objection.

The CHAIRMAN. The amendment is withdrawn.

AMENDMENT OFFERED BY MS. JACKSON-LEE

Ms. JACKSON-LEE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. JACKSON-LEE: Page 32, following line 5, insert the following new paragraph:

(8) For High-Performance Computing and Communications, in addition to amounts authorized by paragraph (5), \$35,000,000, of which \$22,000,000 shall be available for Information Infrastructure Technology and Applications.

Ms. JACKSON-LEE. Mr. Chairman, I would hope that again we can come to the table on this issue in a bipartisan manner when we talk about children and having them access the super-highway.

Mr. Chairman, my amendment to section 212 of H.R. 2405 raises the authorization of appropriations for NASA's High Performance Computing and Communications Program by \$35 million in order to bring the level back to the President's request. Most of this increase is designated for the newest portion of the HPCC Program that supports educational applications of computing and networking, the Information Infrastructure Technology and Applications component, which is referred to as IITA.

IITA funds quality educational tools and curriculum projects in all 50 States. Through this activity NASA has provided "800" number dial-up access to the Internet for 850 teachers in schools across the country. If there is anything that I have heard in my district in Houston, it is in the school system and their fear of being left out of this high technology. This program was designed to assist teachers in discovering how to use the Internet to improve classroom instruction and to provide opportunities for teachers' own professional development.

In addition to assisting teachers in gaining network access, IITA funds a wide variety of educational development and demonstration projects. I would like to highlight a few of these projects to indicate their nature and scope.

At the Antelope Valley, CA, school district, an electronic multimedia student workbook is being designed for physically disabled students that can be read over the Internet using World Wide Web browsers.

At Lincoln Elementary School in Grand Forks, ND, a teacher is working with his students to put information about volcanos on the Internet as part of a larger, multischool project to develop Earth science lessons for the fifth- to eighth-grade levels.

In Texas a project developed by the Johnson Space Center deployed via the Texas Educational Network and used by K-12 teachers all over the State of Texas helps Texas teachers find educational materials on the Internet. This is a widely utilized concept that I think we would be terribly undermining the 21st century education of our children to not provide for it.

Finally, NASA's IITA program provides support to science museums which work with local teachers to develop improved science curriculum products related to a museum's assets and to gain access to instructional materials available via the Internet. In addition, some museums use resources provided by NASA's IITA program to improve the kinds of science information available to museum visitors by incorporating the most recent science data into exhibits and displays. A good example of this is the Houston museum's exhibit using the Comet Shoemaker-Levy 9's collision with Jupiter last year.

It is clear that NASA's IITA program supports many valuable educational programs that benefit students throughout the Nation. The extensive use of the Internet allows many of the newly developed materials to be readily available. We have constantly talked about what is wrong on the Internet; let's talk about what is right on the Internet. What is right on the Internet is that our children are accessing good educational tools involving them in science and preparing our children to be competitive in this global market.

What have been the accusations against the educational system in this United States? It has been that we have been short on math and science. This access to the Internet clearly allows this opportunity to be able to be sophisticated and competitive in this global market.

This week the Committee on Science has joined the Committee on Economic and Educational Opportunities to hold hearings on the impact of technology on education in the 21st century. It is widely accepted that technology can be a powerful tool for overcoming many of the shortcomings underlying the poor performance of America's schools. As we debate this bill today, in one of our hearing rooms students are demonstrating examples of some of the latest computer and network-based instructional materials.

I find it ironic that we would leave them out and not have them included, if you will, while we are listening to them in the Committee on Science hearings. It is important to include teachers and students. It is important to support the IITA program. This amendment does that. This amendment cries out for bipartisan support, recognizing the importance of technology and recognizing, to put it in, I guess, a child's words, "Let us see something good and interact with something good on the Internet."

I would ask that my colleagues support me in this amendment and support our children for the 21st century.

Mr. SENSENBRENNER. Mr. Chairman, I rise in opposition to the amendment offered by the gentlewoman from Texas [Ms. JACKSON-LEE].

Mr. Chairman, this is the second budget-busting amendment that we have heard from the other side. It even violates the principles of offsets contained in the 1993 Clinton budget bill, \$35 million more for an earmarked program that the gentlewoman from Texas [Ms. JACKSON-LEE] wants to spend it on with no offset whatsoever, either in NASA or outside of NASA. This means that the Administrator of NASA is going to have to figure out where to find this \$35 million. The author of the amendment does not come up and say where to find the \$35 million. She punts that whole issue over to the administration, and that is an abdication of congressional responsibility.

Now is the Administrator supposed to take this money out of the Johnson Space Flight Center? Is he supposed to take this money out of mission control for bringing the space station up into orbit? That is not specific, and an Administrator of NASA would have to do that.

I think that the amount of money that is in this bill which was agreed to by the Committee on Appropriations and passed by the House of Representatives is an adequate amount for this program. We should not have an extra \$35 million increase for NASA without saying where it is going to come out of, and I would urge that the committee reject this amendment.

□ 1430

Mr. TIAHRT. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I do not think there is any question that it is important that children have access to information, and there is no question about whether they can get it through the Internet or some other forms. I think what is important is to find out that they have the ability to get on-line, and not be afraid of computers.

Mr. Chairman, what they are doing in Wichita, in fact this week I was able to visit a charter school called the Dodge Edison school, where Dr. Larry Reynolds, in control of his budget, has provided computers not only for his students, but computers that can be

checked out into their home, where they can tie into the Edison intermail, electronic mail, where they can learn about their ideas, they can communicate with the teachers, they can do their homework, they can look at what is on the schedule. All through the computerized system, they are learning the principles of using a computer that are absolutely necessary for the Internet, but it is not paid for by Federal tax dollars, it is paid for by local tax dollars, where it is a very important issue to them, so they have taken the resources and they have channeled them. I do not think it is necessary for them to take Federal tax dollars.

Ms. JACKSON-LEE. Mr. Chairman, will the gentleman yield?

Mr. TIAHRT. I yield to the gentleman from Texas.

Ms. JACKSON-LEE. Mr. Chairman, I thank the gentleman for his comments. I am glad that he was able to see certainly some very vital activity in his home district. What I would offer to say to the gentleman in countering, and I think these numbers fall within the Senate budget resolution, so we are in keeping with the spirit of our intentions. In many places across the country, and I know the gentleman comes from an area different from my community—an urban area, but many places across the country, including some rural areas, have real difficulty in using local funds for high-technology educational needs.

Obviously, we realize that we must be in partnership. This small effort acts as a partnership to local funds in some school districts and communities that cannot afford these kinds of services, and they would, therefore, eliminate or diminish the opportunity for those children to participate in the Internet information system.

Mr. TIAHRT. Mr. Chairman, reclaiming my time, it is a question of priorities, which I think is what the gentleman did say here. Even in our rural areas we have the information network of Kansas, where we have tied together through electronic means the school systems, but it is done, again, without Federal tax dollars. I think what would better secure the future for these children is balancing the budget so they have a strong economy to grow into. That is why I oppose this amendment.

Mr. WALKER. Mr. Chairman, will the gentleman yield?

Mr. TIAHRT. I yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, this helps point out the reason why it is sometimes good to bring these bills to the floor in a comprehensive way. The gentlewoman made her whole argument based upon the fact that we need to have access of children to computers. I think the gentleman and I agree with that. The problem that she pointed out was the access to the Internet and all of these kinds of things, as though this were the only money in the Federal Government was spending in computers.

The fact is we just passed title I of this bill. If we go back to page 7, where the National Science Foundation authorization is, we will find on that page that we are spending \$249 million on computer work. That is the place where the Internet was created, was by the National Science Foundation. This is the place where we are funding those kinds of activities, to assure that children are going to have access in the future.

The point is that when we have duplicative programs in government, there are times when we can reduce some because we are willing to fund others. That is exactly what is happening in this bill. We have \$249 million being spent in the National Science Foundation in the computer area. The gentlewoman objects to a cut in some of the areas within NASA's budget that do exactly the same kind of work.

I would simply suggest that perhaps this is a place where, when we are trying to balance the budget, that it makes sense to end some duplication and do it the right way. I thank the gentleman for yielding.

Mr. TIAHRT. In closing, Mr. Chairman, I would like to say Dr. Larry Reynolds has done a good job of establishing priorities at Dodge Edison school and he is teaching his children how to use the computer. They are very friendly with it, they are becoming more and more so, as are their parents. That is the biggest obstacle to getting people involved in the system, to overcome fear of computers. It is a matter of priorities. I think balancing the budget is also important. That is why I oppose this amendment.

Mr. BROWN of California. Mr. Chairman, I move to strike the requisite number of words.

(Mr. BROWN of California asked and was given permission to revise and extend his remarks.)

Mr. BROWN of California. Mr. Chairman, I rise in support of the amendment offered by the gentlewoman from Texas [Ms. JACKSON-LEE]. Again, this is in some sense a repetition of some of the arguments, at least, that we went through in connection with the former amendment to increase funding for aerospace research, subsonic aeronautics research.

The figure to which we seek to increase this is the same amount as the Senate, the other body, has already appropriated. They had no problem with caps in this matter, and I do not see any particular reason why that bugaboo should be used in this situation. It is not a budget buster. There is nothing in the budget resolution that applies to this bill in any way, shape, or form, as the gentleman knows. But they choose to use that kind of language in the hope, apparently, that it will have effect of emphasis in reasserting their particular views with regard to whether a particular item is good science or corporate welfare or something of that sort.

Mr. Chairman, I think we all recognize that the problem of improving the

availability of computer resources in education is a matter of considerable importance. It has been indicated that much is being done at the State level already, and that is true. A great deal is being done in California, and the communication companies, the private communication companies, are spending hundreds of millions of dollars to provide access, to provide fiber optics to the classroom, and to provide for other kinds of things.

This money here is not intended to duplicate that. This money is to provide for additional funding for the kind of research that NASA does in terms of improving software and improving the technologies themselves that make computers more effective as an educational tool.

Some of us have been working to try to move into this new era of computers for at least a decade or longer, and there has been considerable success. We are proud of that success. Does that mean that we should now begin to cut the money that we have been investing? It is not the same, incidentally, as the money that NSF is spending, despite the contention that this account has been cut because it does exactly the same thing that NSF is doing.

If Members would check with NSF, they would find that they would deny that they are doing the same thing as NASA is. If they are, I would join in cutting their budget for that purpose. However, this is an extremely important issue. It is one that needs help, financial help, to establish those things that the private sector is not going to do. It would indicate our commitment to the kind of educational goals that every President has set forth for the last 20 years. I think it is a very good amendment.

Mr. Chairman, I rise in support of the amendment from the gentlewoman from Texas to increase the authorization for educational applications in the NASA High Performance Computing and Communications Program. In her statement on the amendment, Ms. JACKSON-LEE pointed out the irony in the need to defend a program cut by the Committee on Economic and Educational Opportunities and by the Science Committee, which advances educational technologies, while the committee is simultaneously holding hearings and demonstrations to highlight the ways technology can improve the effectiveness of the Nation's schools.

There is no significant debate about whether the application of the latest information technologies can improve teaching and learning. The main question is how to spur the deployment of the technologies as broadly as possible and integrate them into the curriculum in the most effective ways. No one disputes that we have a long way to go in overcoming the many barriers to achieving the promise of educational technology. Certainly further experimentation is needed to understand what works best and how to replicate best practices on a large scale.

The NASA Information Infrastructure Technology Applications component of the High Performance Computing and Communications Program is specifically targeted at developing

and demonstrating computer and network-based instructional tools and in assisting teachers in the use of new technologies. It supports cooperative, cost-shared efforts among schools, universities, industry, and NASA laboratories, with participation by institutions in every State. The expertise which NASA's scientists and engineers bring is particularly valuable in tailoring new information technologies to educational uses.

Unfortunately in the quest to slash Federal programs, the majority has not spared education programs. Technology is certainly not a silver bullet that will instantly transform our schools. But the promise of technology is manifest, as is being effectively demonstrated today by school kids in the Science Committee's hearing room. Greater—not reduced—efforts are warranted to deploy technology more broadly.

Cutting programs that contribute to educational technology development and its effective use will only harm and delay the improvement of K-12 education, putting further off the time when America's schoolchildren may obtain a truly world-class education. I strongly support the amendment to restore funding for NASA's educational technology efforts and urge its passage.

Ms. JACKSON-LEE. Mr. Chairman, will the gentleman yield?

Mr. BROWN of California. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE. Mr. Chairman, I would like to make an inquiry to the gentleman from California [Mr. BROWN], because I think there have been many who have spent long years in this area, but maybe not as long as the gentleman has, having had the opportunity to work closely with the private sector as the Government has tried to be a partner in their efforts.

It is my understanding, even though this is maybe an extended issue on this particular amendment, that usually when the dollars go down in research and development in Government, we find that industry follows suit. Even though we have had some outstanding leadership in the private sector, if we are to make equal across the Nation children's opportunities to access Internet and to apply the science of computerization, the application of such, this program is vital to doing so, and I ask the gentleman for a response.

Mr. BROWN of California. Mr. Chairman, the gentlewoman is absolutely correct. What we are doing in funding this particular program is vital to the further utilization, the development of a market, if you could use that term, for increased communication activities through the schools. Education is considered to be a major market.

However, what I am afraid of is that the opposition to this stems from a feeling that the role of the Federal Government is not to assist education. I went through this in 1981, when President Reagan submitted his first budget, and NSF had some very interesting things in this area being done. They were totally eliminated. The grounds were not that they were not important, but it was not an appropriate role for the Federal Government.

Mr. TRAFICANT. Mr. Chairman, I move to strike the requisite number of words.

Ms. JACKSON-LEE. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE. Mr. Chairman, I will not take up the full time. I thank the gentleman for yielding to me.

Mr. Chairman, I simply want to conclude by acknowledging to my colleagues that we have a great opportunity as we move toward the 21st century. Let us not leave our children out, our teachers, and our educational system. Let us equalize the access to this very important tool. I would ask for support of this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas [Ms. JACKSON-LEE].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Ms. JACKSON-LEE. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 144, noes 276, not voting 12, as follows:

[Roll No. 702]

AYES—144

Ackerman	Foglietta	Nadler
Becerra	Ford	Neal
Beilenson	Frank (MA)	Oberstar
Bentsen	Frost	Olver
Berman	Furse	Ortiz
Bevill	Gejdenson	Orton
Bishop	Gephardt	Owens
Bonior	Geren	Pallone
Borski	Gibbons	Pastor
Boucher	Gonzalez	Payne (NJ)
Brewster	Green	Pelosi
Browder	Gutierrez	Peterson (FL)
Brown (CA)	Hall (OH)	Rahall
Brown (FL)	Hall (TX)	Rangel
Brown (OH)	Harman	Reed
Bryant (TX)	Hastings (FL)	Richardson
Chapman	Hefner	Rivers
Clay	Hilliard	Rose
Clayton	Hinchey	Roybal-Allard
Clement	Hoyer	Rush
Clyburn	Jackson-Lee	Sabo
Coleman	Jefferson	Sanders
Collins (IL)	Johnson, E. B.	Sawyer
Collins (MI)	Johnston	Schroeder
Condit	Kennedy (MA)	Schumer
Conyers	Kennedy (RI)	Scott
Coyne	Kildee	Serrano
Cramer	Kleczka	Skelton
de la Garza	Lantos	Stenholm
DeFazio	Levin	Stokes
DeLauro	Lewis (GA)	Studds
Dellums	Lofgren	Tanner
Deutsch	Lowe	Thompson
Dicks	Maloney	Thornton
Dingell	Manton	Torricelli
Dixon	Markey	Towns
Doggett	Martinez	Velazquez
Doyle	Matsui	Vento
Durbin	McCarthy	Visclosky
Edwards	McDermott	Ward
Engel	McKinney	Waters
Eshoo	Meek	Watt (NC)
Evans	Menendez	Waxman
Farr	Mfume	Williams
Fattah	Miller (CA)	Wise
Fazio	Mink	Wyden
Filner	Mollohan	Wynn
Flake	Moran	Yates

NOES—276

Abercrombie	Armey	Baker (LA)
Allard	Bachus	Baldacci
Andrews	Baessler	Ballenger
Archer	Baker (CA)	Barcia

Barr	Greenwood	Nussle
Barrett (NE)	Gunderson	Obey
Barrett (WI)	Gutknecht	Oxley
Bartlett	Hamilton	Packard
Barton	Hancock	Parker
Bass	Hansen	Paxon
Bateman	Hastert	Payne (VA)
Bereuter	Hastings (WA)	Peterson (MN)
Billbray	Hayes	Petri
Bilirakis	Hayworth	Pickett
Bliley	Hefley	Pombo
Blute	Heineman	Pomeroy
Boehlert	Hegger	Porter
Boehner	Hilleary	Portman
Bonilla	Hobson	Poshard
Bono	Hoekstra	Pryce
Brownback	Hoke	Quillen
Bryant (TN)	Holden	Quinn
Bunn	Horn	Radanovich
Bunning	Hostettler	Ramstad
Burr	Houghton	Regula
Burton	Hunter	Riggs
Buyer	Hutchinson	Roberts
Callahan	Hyde	Roemer
Calvert	Inglis	Rogers
Camp	Istook	Rohrabacher
Canady	Jacobs	Roh-Lehtinen
Cardin	Johnson (CT)	Roth
Castle	Johnson (SD)	Roukema
Chabot	Johnson, Sam	Royce
Chambliss	Jones	Salmon
Chenoweth	Kanjorski	Sanford
Christensen	Kaptur	Saxton
Chrysler	Kasich	Scarborough
Clinger	Kelly	Schaefer
Coble	Kim	Schiff
Coburn	King	Seastrand
Collins (GA)	Kingston	Sensenbrenner
Combest	Klink	Shadegg
Cooley	Klug	Shaw
Costello	Knollenberg	Shays
Cox	Kolbe	Shuster
Crane	LaFalce	Siskiy
Crapo	LaHood	Skaggs
Cremins	Largent	Skeen
Cubin	Latham	Slaughter
Cunningham	LaTourette	Smith (MI)
Danner	Laughlin	Smith (NJ)
Davis	Lazio	Smith (TX)
Deal	Lewis (CA)	Smith (WA)
DeLay	Lewis (KY)	Solomon
Diaz-Balart	Lightfoot	Souder
Dickey	Lincoln	Spence
Dooley	Linder	Spratt
Doolittle	Lipinski	Stark
Dreier	Livingston	Stearns
Duncan	LoBiondo	Stockman
Dunn	Longley	Stump
Ehlers	Lucas	Stupak
Ehrlich	Luther	Talent
Emerson	Manzullo	Tate
English	Martini	Tauzin
Ensign	Mascara	Taylor (MS)
Everett	McCollum	Taylor (NC)
Ewing	McCrery	Thomas
Fawell	McDade	Thornberry
Fields (TX)	McHale	Thurman
Flanagan	McHugh	Tiahrt
Foley	McInnis	Torkildsen
Forbes	McIntosh	Trafficant
Fowler	McKeon	Upton
Fox	McNulty	Vucanovich
Franks (CT)	Meehan	Waldholtz
Franks (NJ)	Metcalfe	Walker
Frelinghuysen	Meyers	Walsh
Frisa	Mica	Wamp
Funderburk	Miller (FL)	Watts (OK)
Gallegly	Minge	Weldon (FL)
Ganske	Molinari	Weldon (PA)
Gekas	Montgomery	Weller
Gilchrest	Moorhead	White
Gillmor	Morella	Whitfield
Gilman	Myers	Wicker
Goodlatte	Myrick	Wolf
Goodling	Nethercutt	Young (AK)
Gordon	Neumann	Young (FL)
Goss	Ney	Zeliff
Graham	Norwood	Zimmer

NOT VOTING—12

Dornan	Moakley	Tucker
Fields (LA)	Murtha	Volkmer
Kennelly	Tejeda	Wilson
Leach	Torres	Woolsey

□ 1459

The Clerk announced the following pair:

On this vote:

Mr. Moakley for, with Mr. Dornan against.

So the amendment was rejected.

The result of the vote was announced as above recorded.

□ 1500

AMENDMENT OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT: Page 64, line 14, through page 67, line 2, amend subsection (c) to read as follows:

(c) DISCLOSURE OF TECHNICAL DATA.—Section 303 of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2454) is amended—

(1) in subsection (a)(C), by inserting “or (c)” after “subsection (b)”; and

(2) by adding at the end the following new subsection:

“(c)(1) The Administrator, on the request of a private sector entity, shall delay for a period of at least one day, but not to exceed 5 years the unrestricted public disclosure of technical data in the possession of, or under the control of, the Administration that has been generated in the performance of experimental, developmental, or research activities or programs funded jointly by the Administration and such private sector entity.

“(2) Within 1 year after the date of the enactment of the National Aeronautics and Space Administration Authorization Act, Fiscal Year 1996, the Administrator shall issue regulations to carry out this subsection. Paragraph (1) shall not take effect until such regulations are issued.

“(3) Regulations issued pursuant to paragraph (2) shall include—

“(A) guidelines for a determination of whether data is technical data within the meaning of this subsection;

“(B) provisions to ensure that technical data is available for dissemination within the United States to United States persons and entities in furtherance of the objective of maintaining leadership or competitiveness in civil and governmental aeronautical and space activities by the United States industrial base; and

“(C) a specification of the period or periods for which the delay in unrestricted public disclosure of technical data is to apply to various categories of such data, and the restrictions on disclosure of such data during such period or periods, including a requirement that the maximum 5-year protection under this subsection shall not be provided unless at least 50 percent of the funding for the activities or programs is provided by the private sector.

“(4) Along with the initial publication of proposed regulations under paragraph (2), the Administrator shall include a list of those experimental, developmental, or research activities or programs conducted by, or funded in whole or in part by, the Administration that may result in products or processes of significant value in maintaining leadership or competitiveness in civil and governmental aeronautical and space activities by the United States industrial base. Such list shall be updated biannually.

“(5) The Administrator shall annually report to the Congress all determinations made under paragraph (1).

“(6) For purposes of this subsection, the term ‘technical data’ means any recorded information, including computer software, that is or may be directly applicable to the design, engineering, development, production, manufacture, or operation of products or processes that may have significant value in maintaining leadership or competitive-

ness in civil and governmental aeronautical and space activities by the United States industrial base.”.

Mr. TRAFICANT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SENSENBRENNER. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. Mr. Chairman, we are prepared to accept the gentleman's amendment on this side. We feel it makes a constructive addition to the bill.

Mr. TRAFICANT. With that, Mr. Chairman, I ask that the amendment be passed without prejudice.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. TRAFICANT].

The amendment was agreed to.

The CHAIRMAN. Are there any other amendments to title II?

Mrs. SEASTRAND. Mr. Chairman, I move to strike the last word to engage in a colloquy with the gentleman from Pennsylvania [Mr. WALKER].

Mr. Chairman, I would just like to ascertain from the gentleman from Pennsylvania the intention and authorization amount of section 212 of this Omnibus Civilian Science Authorization Act. Is it true that \$10 million of H.R. 2405 is authorized for converting commercially inconsistent elements of former Federal space launch facilities for conformance with Federal regulations relating to commercial space transportation?

Mr. WALKER. If the gentlewoman will yield, that is correct.

Mrs. SEASTRAND. Is it also the intention that the purpose of this authorization is to encourage commercialization of space launches, which will lead NASA and private high technology industries to rely on a more affordable and efficient private sector to provide space launching services?

Mr. WALKER. Again, the gentlewoman is correct in her interpretation.

Mrs. SEASTRAND. Last, is it the intention of this authorization to allow those States developing legitimate commercial spaceports to compete for these funds via a bidding process through NASA?

Mr. WALKER. That is the intention of the language. I would certainly feel that that is what NASA will engage in in terms of practices with regard to this.

Mrs. SEASTRAND. Mr. Chairman, I thank the chairman of the committee. I appreciate the time and effort and the intelligent organization that he contributed to this legislation. I wholeheartedly support it.

The CHAIRMAN. Are there any other amendments to title II?

AMENDMENT OFFERED BY MR. WELDON OF FLORIDA

Mr. WELDON of Florida. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WELDON of Florida: Page 74, after line 23, insert the following new subsection:

(e) SAFE OPERATION.—

In reviewing proposals for moving to a single prime contractor the Administrator shall give priority to continued safe operation of space transportation systems.

(Mr. WELDON of Florida asked and was given permission to revise and extend his remarks.)

Mr. WELDON of Florida. Mr. Chairman, my amendment is a very simple amendment. As NASA goes through the procedures of looking into the issue of selecting a single prime contractor for the operation of our Nation's space shuttle, my amendment clarifies that their priority should be making sure that we have consistent safe operation of our space shuttle.

This past August I toured Kennedy Space Center. Then again last week I had the privilege of having the chairman of the Subcommittee on Space and Aeronautics join me at Kennedy Space Center, and talk with the people who put that space shuttle together and make sure that it will fly safely, and talk to the people who are down there at the ground level tightening the bolts, making sure that this system is going to function and function properly so that it can return our astronauts safely back to Earth.

Mr. Chairman, I discovered that there are three things that they consider to be most important in this program, and, that is, safety, safety, safety. They want to make sure that as our space program continues on into the future, that our space shuttle will be safe and will continue to run safely. I feel that my amendment clarifies the language in this bill to make sure that our space program continues to be the world's leader.

Mr. SENSENBRENNER. Mr. Chairman, will the gentleman yield?

Mr. WELDON of Florida. I yield to the gentleman from Wisconsin, the distinguished subcommittee chairman.

Mr. SENSENBRENNER. Mr. Chairman, we are pleased to accept this amendment. I believe that the gentleman from Florida has made an extremely valuable contribution to this bill.

Obviously safety cannot be compromised with the space shuttle, because if we should have another disaster, America is out of manned space exploration for a generation. That is why I believe that mandating the Administrator of NASA to place safety first and going to a single prime contractor, as is proposed by the gentleman from Florida, puts the horse before the cart, and that is really important if we are to have a viable space program for generations to come.

Mr. WELDON of Florida. I thank the gentleman.

Mr. Chairman, I rise in support of the bill before us.

No, this is not a perfect bill. In fact, I have discovered since my election to Congress, that

there are few perfect bills. However, the bill before us is a good bill and takes some very important steps that move our country in the right direction.

These are difficult budgetary times. We have already imposed upon our children a national debt of \$5 trillion dollars.

It is for our children and their children that we must make prudent decisions about those endeavors we can and cannot afford. Only by doing this can we ensure a brighter future for them.

We must separate those endeavors that we must pursue from those that may be worthy activities but are not critical to our children's future, are too expensive for us to pursue at this time, or should be undertaken by the private sector. This bill does this. This bill makes tough decisions. It sets priorities. It will ensure a brighter future for our Nation.

I would like to take this opportunity to discuss one aspect of this bill—NASA. The NASA provisions are responsible and meet our national requirements. They ensure a vibrant space program with clear direction.

Overall, the bill provides \$11.5 billion for NASA programs in 1996. This is \$597 million under the administration's request. I am very pleased that this reduction will not impact the space station or space shuttle programs. These two programs are essential to our Nation's continued international leadership in space and they are funded at levels nearly identical to the President's request.

Multiyear funding for the space station was provided in H.R. 1601, which passed the House by voice vote on September 28, 1995. It was funded at the administration's request. Thus, the bill before us does not include funding for the space station, but is fully consistent with H.R. 1601.

The bill before us ensures a sound space shuttle program by fully funding space shuttle operations at the administration's budget request. The President requested \$3.231 billion and H.R. 2405 provides \$3.178 billion. The entire \$53 million reduction from NASA's requested budget comes from completing the closure of the luka facility and will have no negative consequences on space shuttle operations.

For mission support, another key component of shuttle operations, H.R. 2405 provides \$2.1 billion, this is \$108 million below the President's request. The administrator of NASA has said that this savings is achievable because of those who have taken advantage of buyouts offered by the agency. No additional reductions will be required to achieve this budget target.

The bill includes language requested by NASA that enables NASA to explore the possibility of moving portions of the operation of the space shuttle under a single prime contract. As the Vice-Chairman of the Space Subcommittee I will closely monitor NASA's activities in this respect. I will not allow the safety of space shuttle operations to be compromised.

I will make sure that any move to a single prime contract by the Clinton administration does not compromise the integrity of our space shuttle program.

Finally, I am pleased that the bill includes provisions to strengthen commercial space endeavors. The bill expands the Commercial Space Launch Act to include the full range of space transportation activities. H.R. 2405 also

takes significant steps in funding the development of the next reusable launch vehicle. These are very important steps in our Nation's future.

The United States once held 100 percent of the world's commercial space launch market. Today, this has slipped to about 30 percent. The provisions in this bill relating to commercial space launches will help us regain a larger share of this expanding market.

I want to thank Chairman WALKER for his leadership in the areas of science, research and development, and space exploration. We must excel in these areas in order to continue pushing the envelop on advanced technology. This bill does this and at the same time cuts out the waste, inefficiencies, and inappropriate uses of scarce Federal dollars.

H.R. 2405 is a targeted, well-focused bill. It ensures a brighter future for our children.

I urge all Members of the Congress to support this bill.

Mr. ROHRABACHER. Mr. Chairman, will the gentleman yield?

Mr. WELDON of Florida. I yield to the distinguished gentleman from California.

Mr. ROHRABACHER. Mr. Chairman, I would just like to take this opportunity to congratulate the gentleman from Florida [Mr. WELDON] on the leadership he has been providing on this vital part of America's space effort. The shuttle at this moment is a piece of technology that we depend upon.

The gentleman from Florida [Mr. WELDON] has been making it his job to make sure that America gets the best use out of this technology. He is focusing today on safety but he has provided leadership in a number of areas concerning the shuttle. I would just like to congratulate him and rise in support of his amendment.

Mr. WELDON of Florida. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. WELDON].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HOKE

Mr. HOKE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOKE: Page 76, line 16, strike "30" and insert in lieu thereof "60".

Page 76, line 18, insert "which meet the microgravity flight needs of the National Aeronautics and Space Administration," after "to provide services".

Page 76, line 21, insert "as specified in paragraph (3)" after "to the private sector".

Page 76, line 25, strike ", and" and insert in lieu thereof "to a microgravity flight provider certified by the Federal Aviation Administration, and, except as provided in paragraph (4),".

Page 77, after line 9, insert the following new paragraphs:

(4) The Administrator may, as necessary to ensure the continuity of National Aeronautics and Space Administration operations, continue to operate parabolic aircraft flights for up to 3 months after a contract is awarded under paragraph (3). If the Administrator continues operations pursuant to this paragraph, the Administrator shall concurrently transmit to the Congress an explanation of the reasons for such action.

(5) Six months after the National Aeronautics and Space Administration ceases all parabolic aircraft flights under paragraph (3), the Administrator shall transmit a report to Congress on the effectiveness of privatization under this section.

Mr. HOKE (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

(Mr. HOKE asked and was given permission to revise and extend his remarks.)

Mr. HOKE. Mr. Chairman, this amendment is straightforward and I believe that it has been accepted by both sides of the aisle.

My intention with this amendment is not to hamper efforts generally with respect to privatization and downsizing but to ensure that when we do initiate these actions, they are undertaken in a thoughtful, credible, step-by-step manner, and in this particular case do not cripple NASA's ability to continue with its world-class microgravity research.

In short, this amendment guards against any gaps in large microgravity aircraft research by permitting the agency to operate its microgravity support planes for up to 3 months after a viable private contractor has received FAA certification, should such a contractor exist and be awarded a contract. I repeat, this does not allow the administrator to prevent privatization in any way. Rather, it only serves to guard against gaps in the research.

To my knowledge, no thorough study has yet been conducted which demonstrates a critical need to privatize NASA's microgravity aircraft against NASA's will and better judgment. In fact, both NASA and the Aerospace Safety Advisory Panel, the organization established after the Apollo 1 launchpad fire to review proposals just like the one in the bill, have asked Congress to proceed slowly and deliberately. ASAP further warns that:

under the proposed scenario, the lives of astronauts in training, as well as those of the researchers and air crew on board could be at risk . . . It must be recognized that microgravity flying . . . requires the precise performance of maneuvers close to operational and structural limits. It takes years for a pilot to gain the experience necessary to fly such complex maneuvers. In addition, specially trained and experienced maintenance and inspection teams are required to ensure that the aircraft is safe prior to flight operations. To our knowledge there is no private enterprise conducting operations similar to NASA large aircraft microgravity flight operations anywhere in the world. The costs involved in purchasing and modifying the appropriate aircraft plus the time needed to obtain the required flight operations expertise can be an expensive and herculean undertaking in itself.

Clearly these are strong cautionary words, and therefore, I would prefer to have the privatization happen contingent upon a positive review of its feasibility. Failing that, I believe that some study must be made of how his privatization has progressed. Thus, I am asking

that NASA take a review of this several months after privatization has gone into effect.

Privatization where possible is a goal we should all desire, but we need to be sure that it is done in a rational and reasonable way. Because microgravity research is so important not just to scientists, but to our Nation's industrial, biomedical, chemical, and manufacturing sectors, privatization should be done cautiously and with our full understanding of its implications. That is why my amendment asks for a study to be conducted after privatization has begun to review the performance of private contractors offering microgravity aircraft services to NASA.

In the interest of time, I ask for the assistance of the chairman and ranking member of the Science Committee in keeping a close eye on the NASA's privatization efforts and to make correction of NASA policies.

Mr. SENSENBRENNER. Mr. Chairman, will the gentleman yield?

Mr. HOKE. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. Mr. Chairman, we are pleased to accept this amendment. I commend the gentleman from Ohio [Mr. HOKE] for offering it.

The amendment addresses the concerns of NASA, specifically that it provides the agency with a 3-month overlap of zero G operations by both NASA aircraft as well as aircraft operated by a prime contractor. This will ensure that there will be no hiatus in zero G capability during the transition period, and this means that there will be no impact in the training schedule of the astronauts.

Privatization of this program by NASA means that now private corporations will have the opportunity to compete for a contract to provide this service to the agency. There are at this time companies that are prepared to enter competition and who are investing considerable amounts of time and capital to lay the groundwork for this effort. This legislation provides the opportunity to the private sector to demonstrate their ability to provide this service more efficiently, and this amendment allows sufficient overlap between the existing Federal operation and its private counterpart to ensure that there is no gap in this important function.

Mr. HOKE. I thank the chairman for accepting the amendment.

Mr. BROWN of California. Mr. Chairman, will the gentleman yield?

Mr. HOKE. I yield to the gentleman from California.

Mr. BROWN of California. Mr. Chairman, I have reviewed the gentleman's amendment in great detail, and applying the same high standards as I did to the other gentleman from Ohio on this side of the aisle, I would like to say that as long as your amendment meets the rigorous standards of the Republican leadership of the committee, I am happy to support it.

Mr. HOKE. I thank the ranking member very much and will keep that in mind. I appreciate having worked with him when he was the chairman of the committee.

Mr. Chairman, I include for the RECORD a letter from the chairman of the Aerospace Safety Advisory Panel, as follows:

NATIONAL AERONAUTICS AND
SPACE ADMINISTRATION,
Washington, DC, October 5, 1995.

Hon. MARTIN R. HOKE,
House of Representatives, Cannon Building,
Washington, DC.

DEAR CONGRESSMAN HOKE: The Aerospace Safety Advisory Panel appreciates very much your confidence in its work and is most pleased to respond to your letter of September 11, 1995, requesting our assessment of the provision in H.R. 2043 mandating the privatization of NASA's microgravity flight operations.

The Panel was previously made aware that such a provision had been included in the Bill and has begun some preliminary investigation into the potential impact to safety of NASA microgravity aircraft operations. Our subcommittee on aircraft operations under the leadership of VADM Robert F. Dunn (retired) will be the cognizant Panel representative for this study. Since our investigation is in the preliminary stage we hesitate to offer a definitive comment at this time. It should be noted that any time there is a major change in modus of operations of such magnitude, the impact to safety must be a prime concern. Our first recommendation would be to proceed slowly and deliberately because under the proposed scenario, the lives of the astronauts in training, as well as those of the researchers and air crew on board could be at risk. Thorough investigation and weighing of all hazards and risk factors must take precedence over other considerations.

It must be recognized that microgravity flying, especially when utilizing large aircraft such as NASA's KC-135 or DC-9, requires the precise performance of maneuvers close to operational and structural limits. It takes years for a pilot to gain the experience necessary to fly such complex maneuvers. In addition, specially trained and experienced maintenance and inspection teams are required to ensure that the aircraft is safe prior to flight operations. To our knowledge there is no private enterprise conducting operations similar to NASA's large aircraft microgravity flight operations anywhere in the world. The costs involved in purchasing and modifying the appropriate aircraft plus the time needed to obtain the required flight operations expertise can be an expensive and herculean undertaking in itself.

Since the aircraft involved are used to support other NASA programs in addition to the microgravity flight operations, NASA must first address a number of major considerations before a comprehensive assessment can be made:

1. What exactly is meant by the term "privatization"?
2. How would "privatization" benefit NASA's microgravity research programs?
3. Would the existing microgravity aircraft simply be turned over to a commercial entity for flight operation or would they have to purchase and certify new aircraft?
4. What priorities would be given to allow NASA to continue to support the needed astronaut training, Space Shuttle operations and basic microgravity research programs?
5. What are the economic benefits?
6. Where would the experienced pilots, flight crews and ground maintenance personnel come from?
7. What are the legal and liability aspects of "privatizing" this operation?

The above notwithstanding, the Panel recognizes the imperative to bring about efficiencies without compromising safety and is

committed to assist NASA in that endeavor. In that light, it is our recommendation the provision of H.R. 2043 directing the privatization of NASA's microgravity flight operations be stricken from the Bill for this year and that NASA and the Panel be permitted to conduct the appropriate investigations into the safety, legal and economic aspects of the effort prior to the next legislative session.

Sincerely,

PAUL M. JOHNSTONE
Chairman, Aerospace Safety Advisory Panel.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. HOKE].

The amendment was agreed to.

The CHAIRMAN. Are there any other amendments to title II?

If not, the clerk will designate title III.

The text of title III is as follows:

TITLE III—DEPARTMENT OF ENERGY

SEC. 301. SHORT TITLE.

This title may be cited as the "Department of Energy Civilian Research and Development Act of 1995".

SEC. 302. DEFINITIONS.

For purposes of this title—

- (1) the term "CERN" means the European Organization for Nuclear Research;
- (2) the term "Department" means the Department of Energy;
- (3) the term "Large Hadron Collider project" means the Large Hadron Collider project at CERN;
- (4) the term "major construction project" means a civilian development, demonstration, or commercial application project whose construction costs are estimated to exceed \$100,000,000 over the life of the project;
- (5) the term "Secretary" means the Secretary of Energy;
- (6) the term "substantial construction project" means a civilian research, development, demonstration, or commercial application project whose construction costs are estimated to exceed \$10,000,000, but not to exceed \$100,000,000, over the life of the project; and
- (7) the term "substantial equipment acquisition" means the acquisition of civilian research, development, demonstration, or commercial application equipment at a cost estimated to exceed \$10,000,000 for the entire acquisition.

SEC. 303. AUTHORIZATION OF APPROPRIATIONS

(a) ENERGY SUPPLY RESEARCH AND DEVELOPMENT ACTIVITIES.—There are authorized to be appropriated to the Secretary for fiscal year 1996 for Energy Supply Research and Development operating, capital equipment, and construction the following amounts:

(1) Solar and Renewable Energy, \$235,451,000, of which—

(A) \$235,331,000 shall be for operating and capital equipment; and

(B) \$120,000 shall be for construction of Project GP-C-002, General Plant Projects, National Renewable Energy Laboratory.

(2) Nuclear Energy, \$270,448,000, of which—

(A) \$267,748,000 shall be for operating and capital equipment, including, subject to section 304(c), \$14,000,000 for the AP600 light water reactor;

(B) \$1,000,000 shall be for construction of Project GPN-102, General Plant Projects, Argonne National Laboratory-West, Idaho; and

(C) \$1,700,000 shall be for completion of construction of Project 95-E-207, Modifications to Reactors, Experimental Breeder Reactor-II, Sodium Processing Facility, Argonne National Laboratory-West, Idaho.

(3) Environment, Safety, and Health, \$128,433,000 for operating and capital equipment.

(4) Biological and Environmental Research, \$369,645,000, of which—

(A) \$313,550,000 shall be for operating and capital equipment;

(B) \$3,500,000 shall be for construction of Project GPE-120, General Plant Projects, Various Locations;

(C) \$5,700,000 shall be for construction of Project 94-E-339, Human Genome Laboratory, Lawrence Berkeley Laboratory;

(D) \$4,295,000 shall be for completion of construction of Project 94-E-338, Structural Biology Facility, Argonne National Laboratory;

(E) \$2,600,000 shall be for completion of construction of Project 94-E-337, ALS Structural Biology Support Facilities, Lawrence Berkeley Laboratory; and

(F) \$40,000,000 shall be for construction of Project 91-EM-100, Environmental Molecular Sciences Laboratory, Pacific Northwest Laboratory.

(5) Fusion Energy, \$254,144,000, of which—

(A) \$245,144,000 shall be for operating and capital equipment for Magnetic Fusion Energy;

(B) \$4,800,000 shall be for operating and capital equipment for Inertial Fusion Energy;

(C) \$1,000,000 shall be for construction of Project GPE-900, General Plant Projects, Various Locations; and

(D) \$3,200,000 shall be for construction of Project 96-E-310, Elise Project, Lawrence Berkeley Laboratory.

(6) Basic Energy Sciences, \$827,981,000, of which—

(A) \$805,412,000 shall be for operating and capital equipment, including \$60,000,000 for the Scientific Facilities Initiative;

(B) \$4,500,000 shall be for construction of Project GPE-400, General Plant Projects, Various Locations;

(C) \$12,883,000 shall be for construction of Project 96-E-305, Accelerator and Reactor Improvements and Modifications;

(D) \$3,186,000 shall be for completion of construction of Project 89-R-402, 6-7 GeV Synchrotron Radiation Source, Argonne National Laboratory; and

(E) \$2,000,000 shall be for construction of Project 87-R-405, Combustion Research Facility, Phase II, Sandia National Laboratories-Livermore.

(7) Advisory and Oversight Program Direction, \$6,200,000 for operating.

(8) Policy and Management—Energy Research, \$2,200,000 for operating.

(9) Multiprogram Energy Laboratories—Facilities Support—

(A) \$15,539,000 shall be for operating and capital equipment;

(B) \$8,740,000 shall be for construction of Project GPE-801, General Plant Projects, Various Locations;

(C) \$8,740,000 shall be for construction of Project 95-E-310, Multiprogram Laboratory Rehabilitation, Phase I, Pacific Northwest Laboratory;

(D) \$1,500,000 shall be for construction of Project 95-E-303, Electrical Safety Rehabilitation, Pacific Northwest Laboratory;

(E) \$3,270,000 shall be for completion of construction of Project 95-E-302, Applied Science Center, Phase I, Brookhaven National Laboratory;

(F) \$2,500,000 shall be for construction of Project 95-E-301, Central Heating Plant Rehabilitation, Phase I, Argonne National Laboratory;

(G) \$2,038,000 shall be for construction of Project 94-E-363, Roofing Improvements, Oak Ridge National Laboratory;

(H) \$440,000 shall be for completion of construction of Project 94-E-351, Fuel Storage

and Transfer Facility Upgrade, Brookhaven National Laboratory;

(I) \$800,000 shall be for construction of Project 96-E-332, Building 801 Renovations, Brookhaven National Laboratory;

(J) \$2,400,000 shall be for completion of construction of Project 96-E-331, Sanitary Sewer Restoration, Phase I, Lawrence Berkeley Laboratory;

(K) \$1,200,000 shall be for construction of Project 96-E-330, Building Electrical Service Upgrade, Phase I, Argonne National Laboratory;

(L) \$2,480,000 shall be for construction of Project 95-E-309, Loss Prevention Upgrade—Electrical Substations, Brookhaven National Laboratory;

(M) \$1,540,000 shall be for construction of Project 95-E-308, Sanitary System Modifications, Phase II, Brookhaven National Laboratory;

(N) \$1,000,000 shall be for construction of Project 95-E-307, Fire Safety Improvements, Phase III, Argonne National Laboratory;

(O) \$1,288,000 shall be for completion of construction of Project 93-E-324, Hazardous Materials Safeguards, Phase I, Lawrence Berkeley Laboratory;

(P) \$1,130,000 shall be for completion of construction of Project 93-E-323, Fire and Safety Systems Upgrade, Phase I, Lawrence Berkeley Laboratory; and

(Q) \$2,411,000 shall be for construction of Project 93-E-320, Fire and Safety Improvements, Phase II, Argonne National Laboratory.

Notwithstanding subparagraphs (A) through (Q), the total amount authorized under this paragraph shall not exceed \$39,327,000.

(10) Technical Information Management Program, \$14,394,000, of which—

(A) \$12,894,000 shall be for operating and capital equipment; and

(B) \$1,500,000 shall be for construction of Project 95-A-500, Heating, Venting, and Air Conditioning Retrofits, Oak Ridge.

(11) Environmental Management, \$644,197,000, of which—

(A) \$627,127,000 shall be for operating and capital equipment;

(B) \$339,000 shall be for completion of construction of Project 92-E-601, Melton Valley Liquid Low-Level Waste Collection and Transfer System Upgrade, Oak Ridge National Laboratory;

(C) \$4,000,000 shall be for construction of Project 88-R-830, Bethel Valley Liquid Low-Level Waste Collection and Transfer System Upgrade, Oak Ridge National Laboratory;

(D) \$2,255,000 shall be for construction of Project GPN-103, Oak Ridge Landlord General Plant Projects;

(E) \$730,000 shall be for construction of Project GPN-102, Test Reactor Area Landlord General Plant Projects, Idaho National Engineering Laboratory;

(F) \$1,900,000 shall be for construction of Project 95-E-201, Test Reactor Area Landlord Fire and Life Safety Improvements, Idaho National Engineering Laboratory;

(G) \$2,040,000 shall be for construction of Project GPE-600, General Plant Projects, Waste Management, Non-Defense, Various Locations;

(H) \$300,000 shall be for construction of Project 94-E-602, Bethel Valley Federal Facility Agreement Upgrades, Oak Ridge National Laboratory;

(I) \$4,048,000 shall be for construction of Project 93-E-900, Dry Cast Storage, Idaho National Engineering Laboratory;

(J) \$787,000 shall be for construction of Project 91-E-602, Rehabilitation of Waste Management Building 306, Argonne National Laboratory; and

(K) \$671,000 shall be for completion of construction of Project 88-R-812, Hazardous

Waste Handling Facility, Lawrence Berkeley Laboratory.

(b) GENERAL SCIENCE AND RESEARCH ACTIVITIES.—There are authorized to be appropriated to the Secretary for fiscal year 1996 for General Science and Research Activities operating, capital equipment, and construction the following amounts:

(1) High Energy Physics, \$680,137,000, of which—

(A) \$554,191,000 shall be for operating and capital equipment, including \$15,000,000 for the Scientific Facilities Initiative;

(B) \$12,146,000 shall be for construction of Project GPE-103, General Plant Projects, Various Locations;

(C) \$9,800,000 shall be for construction of Project 96-G-301, Accelerator Improvements and Modifications, Various Locations;

(D) \$52,000,000 shall be for construction of Project 94-G-305, B-Factory, Stanford Linear Accelerator Center; and

(E) \$52,000,000 shall be for construction of Project 92-G-302, Fermilab Main Injector, Fermi National Accelerator Center.

(2) Nuclear Physics, \$316,873,000, of which—

(A) \$239,773,000 shall be for operating and capital equipment, including \$25,000,000 for the Scientific Facilities Initiative;

(B) \$3,900,000 shall be for construction of Project GPE-300, General Plant Project, Various Locations;

(C) \$3,200,000 shall be for construction of Project 96-G-302, Accelerator Improvements and Modifications, Various Locations; and

(D) \$70,000,000 shall be for construction of Project 91-G-300, Relativistic Heavy Ion Collider, Brookhaven National Laboratory.

(3) Program Direction, \$9,500,000.

(c) FOSSIL ENERGY RESEARCH AND DEVELOPMENT.—There are authorized to be appropriated to the Secretary for fiscal year 1996 for Fossil Energy Research and Development operating, capital equipment, and construction the following amounts:

(1) Coal, \$49,955,000 for operating.

(2) Oil Technology, \$43,234,000 for operating, including maintaining programs at the National Institute for Petroleum and Energy Research.

(3) Gas, \$59,829,000 for operating.

(4) Program Direction and Management Support, \$45,535,000 for operating.

(5) Capital Equipment, \$476,000.

(6) Construction of Project GPF-100, General Plant Projects for Energy Technology Centers, \$1,994,000.

(7) Cooperative Research and Development, \$7,557,000.

(8) Fossil Energy Environmental Restoration, \$12,370,000.

(d) ENERGY CONSERVATION RESEARCH AND DEVELOPMENT.—There are authorized to be appropriated to the Secretary for fiscal year 1996 for Energy Conservation Research and Development operating and capital equipment the following amounts:

(1) Buildings Sector, \$55,074,000.

(2) Industry Sector, \$55,110,000.

(3) Transportation Sector, \$112,123,000.

(4) Technical and Financial Assistance (Non-Grants), \$7,813,000.

SEC. 304. FUNDING LIMITATIONS.

(a) FISCAL YEAR 1996 APPROPRIATIONS.—None of the funds authorized by this title may be used for the following programs, projects, and activities:

(1) Solar Buildings Technology Research.

(2) Solar International Program.

(3) Solar Technology Transfer.

(4) Solar Program Support.

(5) Hydropower.

(6) Space Power Reactor Systems.

(7) Nuclear Energy Facilities.

(8) Soviet-Designed Reactor Safety.

(9) Russian Replacement Power Initiative.

(10) Civilian Radioactive Waste Research and Development.

(11) Tokamak Physics Experiment.
 (12) Advanced Neutron Source.
 (13) Energy Research Analysis.
 (14) Energy Research Laboratory Technology Transfer.
 (15) University and Science Education.
 (16) Technology Partnerships.
 (17) In-House Energy Management.
 (18) Direct Liquefaction.
 (19) Indirect Liquefaction.
 (20) Systems for Coproducts.
 (21) High Efficiency-Integrated Gasification Combined Cycle.
 (22) High Efficiency-Pressurized Fluidized Bed.
 (23) Technical and Economic Analysis.
 (24) International Program Support.
 (25) Coal Technology Export.
 (26) Gas Delivery and Storage.
 (27) Gas Utilization.
 (28) Fuel Cells Climate Change Action Plan.
 (29) Fuels Conversion, Natural Gas, and Electricity.
 (30) Clean Coal Technology Program.
 (31) Buildings Sector Implementation and Deployment.
 (32) Industry Sector Municipal Solid Wastes.
 (33) Industry Sector Implementation and Deployment.
 (34) Alternative Fuels Utilization.
 (35) Transportation Sector Implementation and Deployment.
 (36) Utility Sector Integrated Resource Planning.
 (37) International Market Development.
 (38) Inventions and Innovation Program.
 (39) Municipal Energy Management.
 (40) Information and Communications.
 (41) Policy and Management—Energy Conservation.
 (42) Gas Turbine-Modular Helium Reactor.
 (b) PRIOR FISCAL YEAR OBLIGATION AND EXPENDITURE.—No funds may be available for obligation or expenditure with respect to the following:
 (1) University of Nebraska Medical Center Transplant Center.
 (2) Oregon Health Sciences University.
 (c) LIGHT WATER REACTOR MATCHING FUNDS.—Funds appropriated for the AP600 light water reactor pursuant to section 303(a)(2)(A) shall be available only to the extent that matching private sector funds are provided for such project, and subject to the condition that such Federal funds shall be repaid to the United States out of royalties on the first commercial sale of such reactor design.

SEC. 305. LIMITATION ON APPROPRIATIONS.
 (a) EXCLUSIVE AUTHORIZATION FOR FISCAL YEAR 1996.—Notwithstanding any other provision of law, no sums are authorized to be appropriated for fiscal year 1996 for the activities for which sums are authorized by this title unless such sums are specifically authorized to be appropriated by this title.
 (b) SUBSEQUENT FISCAL YEARS.—No sums are authorized to be appropriated for any fiscal year after fiscal year 1996 for the activities for which sums are authorized by this title unless such sums are specifically authorized to be appropriated by Act of Congress with respect to such fiscal year.

SEC. 306. MERIT REVIEW REQUIREMENT FOR AWARDS OF FINANCIAL ASSISTANCE.
 (a) MERIT REVIEW REQUIREMENT.—The Secretary may not award financial assistance to any person for civilian research, development, demonstration, or commercial application activities, including related facility construction, unless an objective merit review process is used to award the financial assistance.
 (b) REQUIREMENT OF SPECIFIC MODIFICATION OF MERIT REVIEW PROVISION.—

(1) IN GENERAL.—A provision of law may not be construed as modifying or superseding subsection (a), or as requiring that financial assistance be awarded by the Secretary in a manner inconsistent with subsection (a), unless such provision of law—

(A) specifically refers to this section;
 (B) specifically that such provision of law modifies or supersedes subsection (a); and
 (C) specifically identifies the person to be awarded the financial assistance and states that the financial assistance to be awarded pursuant to such provision of law is being awarded in a manner inconsistent with subsection (a).

(2) NOTICE AND WAIT REQUIREMENT.—No financial assistance may be awarded pursuant to a provision of law that requires or authorizes the award of the financial assistance in a manner inconsistent with subsection (a) until—
 (A) the Secretary submits to the Congress a written notice of the Secretary's intent to award the financial assistance; and
 (B) 180 days has elapsed after the date on which the notice is received by the Congress.

(c) DEFINITIONS.—For purposes of this section:
 (1) The term "objective merit review process" means a thorough, consistent, and independent examination of requests for financial assistance based on preestablished criteria and scientific and technical merit by persons knowledgeable in the field for which the financial assistance is requested.
 (2) The term "financial assistance" means the transfer of funds or property to a recipient or subrecipient to accomplish a public purpose of support or stimulation authorized by Federal law. Such term includes grants, cooperative agreements, and subawards but does not include cooperative research and development agreements as defined in section 12(d)(1) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(d)(1)), nor any grant that calls upon the National Academy of Sciences, the National Academy of Engineering, the Institute of Medicine, or the National Academy of Public Administration to investigate, examine, or experiment upon any subject of science or art and to report on such matters to Congress or any agency of the Federal Government.

SEC. 307. POLICY ON CAPITAL PROJECTS AND CONSTRUCTION.
 (a) REQUIREMENT OF PRIOR AUTHORIZATION.—(1) No funds are authorized to be appropriated to the Secretary for any substantial construction project, substantial equipment acquisition, or major construction project unless a report on such project or acquisition has been provided to Congress in accordance with subsection (b).
 (2) The Secretary may not obligate any funds for any substantial construction project, substantial equipment acquisition, or major construction project unless such project or acquisition has been specifically authorized by statute.
 (3) This subsection may not be amended or modified except by specific reference to this subsection.
 (b) REPORTS TO CONGRESS.—(1) Within 180 days after the date of the enactment of this Act, the Secretary shall submit to the Congress a report that identifies all construction projects and acquisitions of the Department described in subsection (a) for which the preliminary design phase is completed but the construction or acquisition is not completed. Such report shall include—
 (A) an estimate of the total cost of completion of the construction project or acquisition, itemized by individual activity and by fiscal year; and

(B) an identification of which construction projects or acquisitions have not been specifically authorized by statute.

The Secretary shall annually update and resubmit the report required by this paragraph, as part of the report required under section 15 of the Federal Nonnuclear Energy Research and Development Act of 1974 (42 U.S.C. 5914).

(2) The Secretary shall, after completion of the preliminary design phase of a major construction project, submit to the Congress a report containing—

(A) an estimate of the total cost of construction of the facility;
 (B) an estimate of the time required to complete construction;
 (C) an estimate of the annual operating costs of the facility;
 (D) the intended useful operating life of the facility; and
 (E) an identification of any existing facilities to be closed as a result of the operation of the facility.

SEC. 308. FURTHER AUTHORIZATIONS.

Nothing in this title shall preclude further authorization of appropriations for civilian research, development, demonstration, and commercial application activities of the Department of Energy for fiscal year 1996: *Provided*, That authorization allocations adopted by the Conference Committee on House Concurrent Resolution 67, and approved by Congress, allow for such further authorizations.

SEC. 309. HIGH ENERGY AND NUCLEAR PHYSICS.

(a) LARGE HADRON COLLIDER PROJECT.—
 (1) NEGOTIATIONS.—The Secretary, in consultation with the Director of the National Science Foundation and the Secretary of State, shall enter into negotiations with CERN concerning United States participation in the planning and construction of the Large Hadron Collider project, and shall ensure that any agreement incorporates provisions to protect the United States investment in the project, including provisions for—

(A) fair allocation of costs and benefits among project participants;
 (B) a limitation on the amount of United States contribution to project construction and an estimate of the United States contribution to subsequent operating costs;
 (C) a cost and schedule control system for the total project;
 (D) a preliminary statement of costs and the schedule for all component design, testing, and fabrication, including technical, goals and milestones, and a final statement of such costs and schedule within 1 year after the date on which the parties enter into the agreement;
 (E) a preliminary statement of costs and the schedule for total project construction and operation, including technical goals and milestones, and a final statement of such costs and schedule within 1 year after the date on which the parties enter into the agreement;
 (F) reconsideration of the extent of United States participation if technical or operational milestones described in subparagraphs (D) and (E) are not met, or if the project falls significantly behind schedule;

(G) conditions of access for United States and other scientists to the facility; and
 (H) a process for addressing international coordination and cost sharing on high energy physics projects beyond the Large Hadron Collider.

(2) OTHER INTERNATIONAL NEGOTIATIONS.—Nothing in this title shall be construed to preclude the President from entering into negotiations with respect to international science agreements.

(b) REPORT TO CONGRESS.—Before January 1, 1996, the Secretary, in consultation with

the Director of the National Science Foundation and with the high energy and nuclear physics communities, shall prepare and transmit to the Congress a strategic plan for the high energy and nuclear physics activities of the Department, assuming a combined budget of \$950,000,000 for all activities authorized under section 303(b) for fiscal year 1997, and assuming a combined budget of \$900,000,000 for all activities authorized under section 303(b) for each of the fiscal years 1998, 1999, and 2000. The report shall include—

(1) a list of research opportunities to be purchased including both ongoing and proposed activities;

(2) an analysis of the relevance of each research facility to the research opportunities listed under paragraph (1);

(3) a statement of the optimal balance among facility operations, construction, and research support and the optimal balance between university and laboratory research programs;

(4) schedules for the continuation, consolidation, or termination of each research program, and continuation, upgrade, transfer, or closure of each research facility; and

(5) a statement by project of efforts to coordinate research projects with the international communities to maximize the use of limited resources and avoid unproductive duplication of efforts.

SEC. 310. PROHIBITION OF LOBBYING ACTIVITIES.

None of the funds authorized by this title shall be available for any activity whose purpose is to influence legislation pending before the Congress, except that this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to Members of Congress on the request of any Member or to Congress, through the proper channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business.

SEC. 311. ELIGIBILITY FOR AWARDS.

(a) IN GENERAL.—The Secretary shall exclude from consideration for awards of financial assistance made by the Department after fiscal year 1995 any person who received funds, other than those described in subsection (b), appropriated for a fiscal year after fiscal year 1995, from any Federal funding source for a project that was not subjected to a competitive, merit-based award process. Any exclusion from consideration pursuant to this section shall be effective for a period of 5 years after the person receives such Federal funds.

(b) EXCEPTION.—Subsection (a) shall not apply to awards to persons who are members of a class specified by law for which assistance is awarded to members of the class according to a formula provided by law.

SEC. 312. TERMINATION COSTS.

Unobligated funds previously appropriated for the Clean Coal Technology program may be used to pay costs associated with the termination of Energy Supply Research and Development, General Science and Research, Fossil Energy Research and Development, and Energy Conservation Research and Development programs, projects, and activities of the Department.

AMENDMENT OFFERED BY MR. ROEMER

Mr. ROEMER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 13 offered by Mr. ROEMER: Page 104, after line 5, insert the following new section:

SEC. 313. LABORATORIES EFFICIENCY IMPROVEMENT.

(a) ELIMINATION OF SELF-REGULATION.—Notwithstanding any other provision of law, the Department shall not be the agency of implementation, with respect to departmental laboratories, other than departmental defense laboratories, of Federal, State, and local environmental, safety, and health rules, regulations, orders, and standards.

(b) PERSONNEL REDUCTIONS.—

(1) REQUIREMENTS.—The aggregate number of individuals employed by all government-owned, contractor-operated departmental laboratories, other than departmental defense laboratories, shall be reduced, within 5 years after the date of the enactment of this Act, by at least one-third from the number so employed as of such date of enactment. At least 3 percent of such reduction shall be accomplished within 1 year, at least 6 percent within 18 months, at least 10 percent within 2 years, and at least 15 percent within 30 months.

(2) OBJECTIVES.—The Secretary shall ensure that the personnel reductions required by paragraph (1) are made consistent with, to the extent feasible, the following objectives:

(A) Termination of departmental laboratory research and development facilities that are not the most advanced and the most relevant to the programmatic objectives of the Department, when compared with other facilities in the United States.

(B) Termination of facilities that provide research opportunities duplicating those afforded by other facilities in the United States, or in foreign countries when United States scientists are provided access to such facilities to the extent necessary to accomplish the programmatic objectives of the Department.

(C) Relocation and consolidation of departmental laboratory research and development activities, consistent with the programmatic objectives of the Department, within laboratories with major facilities or demonstrable concentrations of expertise appropriate for performing such research and development activities.

(D) Reduction of management inefficiencies within the Department and the departmental laboratories.

(E) Reduction of physical infrastructure needs.

(F) Utilization of other resources for performing Department of Energy funded research and development activities, including universities, industrial laboratories, and others.

(c) REPORTS TO CONGRESS.—

(1) INITIAL REPORT.—Within 1 year after the date of the enactment of this Act, the Secretary shall transmit a report to the Congress that—

(A) identifies the extent to which Department and departmental laboratory staffs have been reduced as a result of the implementation of subsection (a) of this section; and

(B) explains the extent to which reductions required by subsection (b)(1) have been made consistent with the objectives set forth in subsection (b)(2).

(2) ANNUAL REPORTS.—The Secretary shall transmit to the Congress, along with each of the President's annual budget submissions occurring—

(A) after the report under paragraph (1) is transmitted; and

(B) before the full personnel reduction requirement under subsection (b) is accomplished, a report containing the explanation described in paragraph (1)(B) of this subsection.

(d) DEFINITIONS.—For purposes of this section—

(1) the term "departmental laboratory" means a Federal laboratory, or any other laboratory or facility designated by the Secretary, operated by or on behalf of the Department;

(2) the term "departmental defense laboratories" means the Lawrence Livermore National Laboratory, the Los Alamos National Laboratory, and the Sandia National Laboratories;

(3) the term "Federal laboratory" has the meaning given the term "laboratory" in section 12(d)(2) of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3710a(d)(2)); and

(4) the term "programmatic objectives of the Department" means the goals and milestones of the Department, as set forth in departmental strategic planning documents and the President's annual budget requests.

Page 3, after the item in the table of contents relating to section 312, insert the following:

"Sec. 313. Laboratories efficiency improvement."

Mr. ROEMER. Mr. Chairman, my amendment is an amendment that is fairly simple and straightforward and easy to explain. It will help balance the budget by requiring that the national laboratories participate in fair, even cuts, as many of the other items in this bill are experiencing. It does it in a fair way. It exempts the defense laboratories, such as Sandia, Los Alamos, and Livermore. It does impact the energy laboratories. This bill is about eliminating real corporate welfare. It is saying, in fact, that the Government, the taxpayer, should not be footing the bill for the AT&Ts and the Motorolas and the Intels and all the big corporations in the United States that have the ability to have their own laboratories, to have their own research, we should not be putting all kinds of our tax dollars forward in these areas. We should be asking the national laboratories to participate in fair deficit reduction.

Mr. Chairman, this is reform. This is repositioning and retooling the national laboratories in 1995 to move into the next century. This is asking that the national laboratories not be exempt from any kind of pain in cuts. If we are debating on this House floor cuts in Head Start programs, in Medicare, if we are debating cuts in agriculture programs, certainly the national laboratories should be part of this restructuring.

I come to this, Mr. Chairman, as a strong supporter of the national laboratories. These are in fact resources, valuable resources for our science and research and development community, but there can be better efficiencies. There can be better ways to do this research than currently under the environment of the last 40 and 50 years.

My amendment, Mr. Chairman, does two things, two simple things: First of all it eliminates self-regulation by the DOE labs in meeting Federal, State and local environmental health and safety regulations. This was maybe the prime recommendation by Mr. Bob Galvin, the former CEO of Motorola in the Galvin Report, saying that while the Federal labs should continue to

have to abide by health and safety regulations, they should not do it from Washington, DC., with scores of bureaucrats, and with a labyrinth bureaucracy.

□ 1515

That is what this Congress supposedly is trying to do, is come up with new ideas to cut out the layers of red tape and bureaucracy. That is what Mr. Galvin recommended as a former CEO of Motorola. Let us get rid of that and have the laboratories abide by those regulations, but do it in a businesslike fashion, do it from their laboratories and their States and at the local level, not from Washington, DC., with a big building here in Washington, DC., doing the self-regulating. That is the first thing that this amendment does.

Second, the Department of Energy will be required to downsize the number of full-time employees, again exempting the Defense Department labs by one-third over a period of 5 years.

Mr. Chairman, this is a measure that was heartily endorsed by the Council on Competitiveness. Now, the Council on Competitiveness is a proresearch, proscience group that actually recommended in our hearings that we cut back in an 18-month period by 33 percent, not in a 5-year period as recommended in my legislation. They recommended it, although they are proresearch, they are proscience, they are pro-national laboratories. They said you could accomplish this in 18 months.

In order to make sure that we get a fair restructuring, adequate efficiency in our national laboratories, we have given the national laboratories 5 years to meet this goal.

Mr. Chairman, this is a bipartisan amendment. It is offered by myself and the gentleman from Wisconsin [Mr. KLUG]. It is an effort on the part of a Republican and a Democrat to lead a new direction on balancing the budget, not the status quo that some Members on my side of the aisle have advocated over the years: Well, let us do nothing about the deficit, let us let the deficit be where it is, and we will be content to have a \$4.8 trillion deficit.

But it also does not reflect some of the extremism that we see sometimes on the other side of the aisle, that the balanced budget amendment, the balanced budget should be achieved simply by cutting programs for children, cutting programs for senior citizens and not having the national laboratories participate in this tough, tough environment to move toward a balanced budget in a fair way.

Mr. ROHRABACHER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I will speak my own mind on this, which should not be the first, because I happen to agree with my colleague that this amendment is a good amendment, and I will be supporting it.

But I do realize that there are a number of people on this side of the aisle

who do not agree with that opinion, and I will be yielding to them as soon as they arrive here.

Let me say I agree that at the labs, just like everywhere else, we should be setting down guidelines as to how they can reduce their own costs and how they can reduce the costs to the Federal Government of maintaining this laboratory system.

I think that the amendment before us today is thoughtful. It is one that will actually achieve its goal, and it is one I think the author should be commended for.

Mr. WAMP. Mr. Chairman, will the gentleman yield?

Mr. ROHRABACHER. I yield to the gentleman from Tennessee.

Mr. WAMP. Mr. Chairman, I thank the gentleman for yielding.

I wanted to come in my subcommittee chairman's absence and rise in support of the bill offered by the chairman, the gentleman from New Mexico [Mr. SCHIFF], H.R. 2142, which actually sets new priorities for our national Federal laboratory system.

While I very much respect my colleague from Indiana and know that everything he does is well-intentioned, and I think he is one of the brightest stars on this side of the aisle, but in this case it is the wrong approach to how we make our Federal laboratory system more efficient. It does not take into consideration the priorities that need to be set for where we spend our money in these critical areas. It would be like coming into a plant and saying you are all of the same worth and everyone is going to have to be reduced over time by these figures regardless of your productivity, regardless of your efficiency, regardless of what time you come to work and what time you leave.

What we need to do, as Bob Galvin, through the Galvin Commission actually identified, is redefine the role of our Federal laboratory system and come up with a whole new mission in the post-cold-war era of what our laboratories should actually do, and we need to make them more efficient.

Secretary O'Leary has actually enacted quite a few cuts in the programs of the Department of Energy, including the laboratories over time. Maybe some of them do not go far enough, and I think this side of the aisle will make sure that they go further.

But I think that while your approach is well-intentioned, it is the wrong approach at the wrong time.

I think another amendment will be heard later today that just says let us sell off all the laboratories except three, which again is a meat-ax approach to a very delicate thing. Our laboratories in this country are essential to our international competitiveness, and I know the gentleman from Indiana knows that and recognizes that.

So I think our intent would be the same, but your approach I cannot agree with.

Mr. ROEMER. Mr. Chairman, will the gentleman yield?

Mr. ROHRABACHER. I yield to the gentleman from Indiana.

Mr. ROEMER. Mr. Chairman, I say "thank you" to the chairman for his support for this amendment, and to the gentleman from Tennessee who just spoke, I share a great deal of admiration for him. He was at many of the hearings where we debated the future of our national laboratories, and I would say this, he quoted from the Galvin report.

Certainly a major part of my amendment is taken directly from the Galvin report in terms of terminating the self-regulation by DOE of the national laboratories and doing it more efficiently, doing it like businesses do it.

I would say, second, the gentleman represents Oak Ridge, which is one of the best national laboratories we have. My amendment does not say we are going to cut Oak Ridge by 33 percent. In fact, what the effect of my amendment might be is to say Oak Ridge is a great laboratory, it is doing things very well. We may move some work from other national laboratories to Tennessee in order to increase our efficiencies and to do things better with the group of scientists that are currently doing a great job there. It does not mandate closures.

Mr. ROHRABACHER. Reclaiming my time, the gentleman is suggesting his amendment only mandates that we make tough choices rather than what those choices will be?

Mr. ROEMER. I would say the distinguished chairman said it more succinctly than I said it in the last 2 minutes. We should not delegate our tough choices to a committee or to a commission to make the choices to close national laboratories. We are elected to represent the people and the taxpayers. We should make those choices right here right now.

AMENDMENT OFFERED BY MR. RICHARDSON AS A SUBSTITUTE FOR THE AMENDMENT OFFERED BY MR. ROEMER

Mr. RICHARDSON. Mr. Chairman, I offer an amendment as a substitute for the amendment.

The Clerk read as follows:

Amendment offered by Mr. RICHARDSON as a substitute for the amendment offered by Mr. ROEMER: Page 104, after line 5, insert the following new section:

SEC. 313. DEPARTMENT OF ENERGY LABORATORY OPERATIONS BOARD.

(a) DEFINITIONS.—

For purposes of this section—

(1) the term "Department" means the Department of Energy;

(2) the term "laboratory" means—

(A) a laboratory, as defined in section 12(d)(2) of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3710a(d)(2)), or

(B) a Federal laboratory, as defined in section 4 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3703);

but such term does not include defense laboratories, and

(3) the term "Secretary" means the Secretary of Energy.

(b) LABORATORY OPERATIONS BOARD.—

(1) ESTABLISHMENT AND MEMBERSHIP.—The Secretary shall establish a Department of

Energy Laboratory Operations Board (in this section referred to as the "Board"). The Board shall consist of at least 12 members divided equally between Federal and public members.

(2) **FEDERAL MEMBERS.**—The Secretary shall appoint Federal members from among the senior management of the Department on the basis of their responsibilities with respect to the operation of Department laboratories, including research and development, policy, or administration responsibilities.

(3) **PUBLIC MEMBERS.**—The Secretary shall appoint public members from institutions of higher education, industry, or government on the basis of their experience or accomplishments in research and development, policy, or administration.

(4) **TERMS OF MEMBERSHIP.**—The Secretary shall appoint each member for a term of 6 years, except that terms shall be staggered to provide continuity.

(5) **GOVERNANCE OF THE BOARD.**—The Board shall be chaired by one of the public members so designated by the Secretary.

(c) **PURPOSE AND GOAL OF THE BOARD.**—

(1) **PURPOSE.**—The purpose of the Board is to provide advice regarding the strategic direction for Department laboratories, the coordination of budget and policy issues affecting laboratory operations, and effective laboratory management.

(2) **GOAL.**—The primary goal of the Board is to facilitate productive and cost-effective use of Department laboratories.

(d) **FUNCTIONS OF THE BOARD.**—

(1) **IN GENERAL.**—The functions of the Board shall include—

(A) helping to sharpen the mission focus of Department laboratories;

(B) assisting the Department in timely resolution of issues and problems across laboratories;

(C) facilitating application of best business practices in laboratory management, including reduction of unnecessary or counterproductive management burdens;

(D) developing recommendations for the Secretary regarding the size, mission, or scope of laboratories and laboratory activities in view of changes in Federal policy or resources, including funding; and

(E) providing advice and recommendations to the Secretary with respect to—

(i) management improvement initiatives to reduce the burden of Department oversight, to clarify lines of control and accountability, and to secure higher levels of research and development performance at lower cost;

(ii) cost-containment generally, including application of best business practices, and more efficient use of resources to comply with Federal and other administrative and regulatory requirements;

(iii) strategic direction for the laboratories, including validation of strategic plans, programmatic and management issues, and coordination of the laboratories as a system;

(iv) development and implementation of a Laboratory Mission Plan for the Department laboratories to ensure that activities of each Department laboratory are optimally focussed on the missions of the Department; and

(v) departmental efforts to integrate its basic and applied research programs and to integrate Department laboratory research programs with research and development programs of industry, other government agencies, and institutions of higher education.

(2) **PUBLIC MEMBERS ONLY.**—A subcommittee of the Board consisting of its public members shall—

(A) analyze issues affecting Department laboratories to provide the basis for independent views;

(B) report to the Secretary and the Congress on at least an annual basis assessing the performance of—

(i) the Department, in improving its management practices of Department laboratories through the reduction or elimination of unnecessary or counterproductive management burdens;

(ii) the Department laboratories, in reducing costs by a cumulative amount of at least \$1,400,000,000 between fiscal year 1996 and fiscal year 2000 through the elimination of unnecessary or counterproductive administrative practices and procedures; and

(iii) the Department, in meeting the goal of cutting employment of the Department laboratories by 15 percent over 5 years, using fiscal year 1994 personnel figures as the baseline; and

(C) provide recommendations regarding budget allocation for programs or Department laboratories.

(3) **ADDITIONAL FUNCTIONS.**—The Secretary may establish additional functions for the Board, or request additional review, comment, or recommendations from public members of the Board.

(4) **FUNCTIONS LIMITATION.**—The Federal Advisory Committee Act (5 U.S.C. App.), section 17 of the Federal Energy Administration Act (15 U.S.C. 776), and section 552b of title 5, United States Code, do not apply to the Board or its members.

(e) **SUNSET.**—This section terminates on September 30, 2005.

Page 3, after the item in the table of contents relating to section 312, insert the following:

Sec. 313. Department of Energy Laboratory Operations Board.

Mr. RICHARDSON (during the reading). Mr. Chairman, I ask unanimous consent the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

(Mr. RICHARDSON asked and was given permission to revise and extend his remarks.)

Mr. RICHARDSON. Mr. Chairman, let me just make it clear what my amendment does and why I think it is a preferable choice to what my colleague from Indiana is doing.

My amendment would, first of all, establish a laboratory operations board for the purposes of providing attention to the reform that is needed at the DOE national laboratories. But what my amendment would do is cut lab personnel by 15 percent, not 30 percent. What my amendment would do is strip about \$1.4 billion in excess costs in the DOE labs.

My amendment would apply to what the gentleman from Indiana [Mr. ROEMER] is doing to the civilian labs. What is happening right now at the Department of Energy is cost cutting is already going and taking place. It happened at Los Alamos Laboratories just this last weekend when I had close to 500 of my personnel that are being laid off.

I think that, in the interests of good science, we should not, as politicians, be making these decisions. These should be scientific decisions.

The amendment offered by the gentleman from Indiana [Mr. ROEMER]

would lay off close to 14,000 people out of the DOE lab system, scientists, engineers, technical experts.

The Department of Energy can live with my amendment. What my amendment does is simply implement and recognize the cost cutting that already is going on at DOE.

Mr. Chairman, today the Royal Swedish Academy of Sciences announced a Nobel Prize for physics. They went to two scientists who performed the research at Department of Energy national labs, Martin Perl, for his work at Stanford linear accelerator center; Frederick Reines, for work at Los Alamos. The Royal Swedish Academy also announced the 1995 Nobel Prizes in chemistry will go to two researchers who received their funding support from DOE. These four awards bring to 64 the number of Nobel Prizes from the United States, resulting from research supported by DOE.

What my amendment does is acknowledge the good work of the gentleman from Indiana [Mr. ROEMER] and the gentleman from Wisconsin [Mr. KLUG], but it is not a meat cleaver. Mine is 15 percent.

This is being implemented by the Department of Energy. It is moving ahead. The language in my bill has a number of commissions that work with the DOE to ensure that we do reduce spending at the labs.

Mr. Chairman, if we are going to be at the vanguard of science and transfer of technology and energy and shifting many of these labs from defense to civilian research, let us not cut it by 30 percent, 25 percent less than the administration budget. I think we are talking about people that lose their jobs but also the Nation's research and science capability.

My amendment, at 15 percent over 5 years, is something that the scientific community and the Department of Energy can live with. The 30 percent, 30 percent, you are literally going to be closing down some laboratories. You are going to be laying off 14,000 people. I have an estimate of 20,000 people, but I will accept the figure of the gentleman from Indiana [Mr. ROEMER] or someone's figure that it is 14,000.

The goal of the gentleman from Indiana is to enhance efficiency of these labs. But I think his approach is wrong. This amendment is a meat cleaver when what you need is a scalpel.

So I want to also apologize to the Committee on Science for coming forth with this amendment at the last minute, but this is too broad a meat-ax approach, and I would hope that Members on both sides of the aisle recognize that there is an honest effort at cutting, at reducing waste, at continuing a 5-year trend of reducing spending at the labs, but doing it in a way that can be absorbed.

Mr. Chairman, I would just simply like to state that this amendment is consistent with the Galvin report. The Galvin report did not say cut the labs, the civilian side, by a third. They basically said that the labs had to find new

missions and reinforce old missions. They said there should be the defense labs, and there should be the civilian labs, and some of the defense labs should also do other research than nuclear weapons.

Theirs was a serious report, but to reinforce this amendment as the reason for supporting the Galvin report, I do not think is good science. I do not think it is good government.

I would urge my colleagues to support the substitute.

The CHAIRMAN. The time of the gentleman from New Mexico [Mr. RICHARDSON] has expired.

(At the request of Mr. BROWN of California and by unanimous consent, Mr. RICHARDSON was allowed to proceed for 1 additional minute.)

Mr. BROWN of California. Mr. Chairman, will the gentleman yield?

Mr. RICHARDSON. I yield to the gentleman from California.

Mr. BROWN of California. Mr. Chairman, I thank the gentleman for yielding.

I take this time not so much to discuss his amendment, but I was intrigued by his citation of the two outstanding scientists in the laboratories of the Department of Energy who won the Nobel Prize in physics. Of course, these are not the first scientists who have distinguished themselves in either the laboratories or in research funding from the Department of Energy.

One that I wanted to mention because he is a Californian is Dr. Sherry Roland at the University of California at Irvine, who won the Nobel Prize in chemistry just within the last few days because of the pioneering work that he did on atmospheric chemistry relating to the depletion of ozone. In the event that some of my friends on the other side still think that this ozone depletion theory is still the fantasy of some cockamamie environmentalist, the Nobel Prize committee did not think so and awarded him the Nobel Prize in chemistry for that research.

May I just conclude by saying that I appreciate the gentleman offering this amendment.

Mr. WALKER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to both of the amendments. I think we are making a bad mistake here on the floor to adopt what is essentially an amendment taking the Department of Energy's position. The gentleman from New Mexico offers it, I know, in good faith, but essentially what he is doing is locking in what the department of Energy has already decided to do in terms of restructuring the labs. It is simply the Department of Energy's approach taken forward.

□ 1530

The gentleman from Indiana [Mr. ROEMER] does take an approach here which I believe the language is unclear as to exactly what the effects would be, but the language of his amendment

says that the aggregate number of individuals employed at all Government-owned, contractor-operated, departmental laboratories, other than the defense ones, would be affected, which sounds to me like it could be interpreted, as someone interpreted earlier, as being a one-third cut from every laboratory.

Now, as my colleagues know, we can interpret it both ways, but it is certainly possible to put that interpretation on the language that we have before us and with absolutely no discretion about how that is going to be done. I think that is a bad approach.

Now earlier today we have members of the minority coming to the floor complaining about the fact we have taken all these terrific cuts in science. Mr. Chairman, the fact is that when the gentleman from Indiana [Mr. ROEMER] tells us about the fact that we somehow should cut here, the cuts have already been made. We have cut \$1.1 billion out of these accounts. We have left it to the Department to begin the process of trying to figure out how to apportion those cuts in a way that makes sense, but we did the job. We cut \$1.1 billion out of these accounts, so these are cuts over and above the \$1.1 billion of money that has already been cut, and let us understand we are cutting money out of programs that most people regard as a national asset for this country. We have had very little testimony to indicate that we do not have in the national laboratories assets of great importance to our future.

The gentleman from Indiana a few moments ago referred to the Oak Ridge Laboratory as being a stellar laboratory that maybe we would put more things into. That is fine if he can identify the good ones. I wonder if he can tell us what the bad ones are that are going to be eliminated so that we can put the money into Oak Ridge. I wonder can the gentleman tell us what the ones are that are going to get cut. He has identified the good one that is going to get more money under his amendment; what are some of the bad ones out there that are going to end up being eliminated under the gentleman's amendment?

Mr. ROEMER. Mr. Chairman, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from Indiana.

Mr. ROEMER. Mr. Chairman, I would say to the distinguished gentleman from Pennsylvania [Mr. WALKER] that it is up to the discretion of the Secretary of Energy to make that decision. Certainly we should say that there have to be cuts and we should not pass that on, and I would say to the gentleman, if he would further yield, that it could be that one of my—I have a facility in my district that may end up losing jobs and go to Tennessee. So I am certainly willing to do that in the efforts of deficit reduction.

Mr. WALKER. Reclaiming my time, so in other words the gentleman was incorrect when he said that Oak Ridge

would be protected because the Secretary would have the discretion to cut Oak Ridge; is that right?

Mr. ROEMER. If the gentleman would yield, I did not say Oak Ridge would be protected. I said a hypothetical that Oak Ridge was a stellar laboratory and, in fact, in gaining greater efficiencies they may move some of the facilities—

Mr. WALKER. Mr. Chairman, if we can identify the stellar laboratories, which ones are not stellar?

Mr. ROEMER. Mr. Chairman, I am sure the gentleman from Tennessee [Mr. WAMP] would identify Oak Ridge as a stellar laboratory. The problem around here, Mr. WALKER, is everybody thinks they have a stellar one, so we do not cut anybody's anything around here, and what I am saying is we got to make some tough choices—

Mr. WALKER. OK, and the gentleman, I do not think, has supported us along the way with a \$1.1 billion cut we have already made in these programs. I do not remember the gentleman voting for the bill that had that \$1.1 billion cut in it.

Mr. ROEMER. I have opposed many of the gentleman's cuts in Head Start programs for children and Medicare for senior citizens.

Mr. WALKER. No, those are not in our committee.

Mr. ROEMER. B-2 cuts, CIA cuts; I voted for a host of cuts. We disagree on where we should cut.

Mr. WALKER. No, the accounts that include the national laboratories have been cut by \$1.1 billion under our bill. Now I do not remember the gentleman supporting that, and the gentleman's amendment is an add-on beyond the \$1.1 billion that has already been cut in those accounts.

Now can the gentleman tell me that he is in support of the \$1.1 billion that we have already cut?

Mr. ROEMER. I am in support of making rational, fair cuts in science as I am in the B-2 bomber, but I am not going to sit here and engage in a colloquy with the gentleman from Pennsylvania as to which national laboratory should be shut down.

Mr. WALKER. The gentleman is perfectly willing to suggest that he knows laboratories that should not be affected by this because he regards them as stellar, but he is not going to engage in the tough decision then of where the cuts are going to be made, and the point is, I would say to the gentleman, that we have a lot of very good facilities all over the country.

Now he made reference to the Galvin report. So does the Department of Energy. The Department of Energy is not following the Galvin report, neither is the gentleman. I mean everybody seems to take the Galvin report and do with it whatever they want. As my colleagues know, they find that this language and that language and decide that the Galvin report justifies anything they decide they want to do.

The Galvin report is very clear with its recommendation. The Galvin report

suggests the privatization scheme over a 10-year period by going to a private corporation that would run the labs for a period of time so that what we could do is ultimately sort out what the good ones and the bad ones were, and we would sort them out based upon the marketplace.

The gentleman is taking a totally different approach. First of all, it is not 10 years, it is 5 years for his approach. Second, he does not allow the kind of process that the Galvin Commission recommended, and so to refer to the Galvin Commission report as being the basis for this amendment I just think is totally wrong based upon what the Galvin report did.

I would say the same is true of the gentleman from New Mexico's amendment. He refers to that and yet offers an amendment that essentially does what the Department of Energy has already decided to do, and that does not take into account the Galvin Commission either.

When the Department of Energy testified before our committee, they said that they took the alternative approach offered by Galvin rather than the main recommendation.

Mr. Chairman, I think maybe we ought to take the opinion of some experts here and not begin dismantling with four amendments what most people regard as a national treasure in our science establishment. If the gentleman wants to cut another third below the \$1.2 billion that we have put in place, that can be the gentleman's decision, and some members may decide to go along with it, but I think we ought to be making sensible decisions, decisions based upon sound policy choices rather than taking an approach that is embodied in the gentleman's amendment.

Mr. ROEMER. Mr. Chairman, I ask unanimous consent for an additional 2 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ROEMER. Mr. Chairman, I would just ask the gentleman from Pennsylvania [Mr. WALKER] if Mr. Galvin did not support the termination of self-regulation in his recommendations to Congress.

Mr. WALKER. Mr. Chairman, will the gentleman yield?

Mr. ROEMER. I yield to the gentleman from Pennsylvania.

Mr. WALKER. Sure. There are a number of—

Mr. ROEMER. That is what I was citing in the Galvin report.

Mr. WALKER. There are a number of reforms that the Galvin Commission recommended, but their main recommendation, their chief recommendation, was, as you begin the business of paring down the laboratories, to do it based upon a private-sector kind of approach, and not a private sector, not just taking the labs and privatizing them immediately because of the bu-

reaucratic overhead in them at the present time. They cannot be sustained in the private sector, and we will lose them.

The Galvin Commission has a very specific recommendation in that regard. I think we ought to follow the recommendation of the experts. We think that that should be done within a cost-cutting regime, and we are willing to cut money out of DOE, but we are not willing to dismantle the agency in ways that I personally regard as irresponsible.

Mr. ROEMER. I would just respectfully disagree with the gentleman. The gentleman says that he is cutting \$1.1 billion out of our science budget. The gentleman has come up with a monetary figure. We have told the Secretary of Energy that it should be a percent in terms of the national laboratories not being exempt. There is not a huge difference in arriving at \$1.1 billion, or \$1 billion, or \$1.7 billion as opposed to our recommendation to the committee.

Mr. WALKER. Our \$1.1 billion is based upon going through program by program and looking at what we think can be sustained in terms of cuts over a period of time. We took the sensible approach to it. Certainly the Secretary, in dealing with that \$1.1 billion, can decide that they want to spend less money in the national labs, and that may be one of the approaches that they want to take. We do not prevent them from doing that, but we do not mandate a system that goes down through and says at least 3 percent of the reduction has to be in 1 year, 6 percent within 18 months, 10 percent within 2 years, 15 percent within 30 months.

I mean that is not giving any latitude. That is in fact taking an approach that may or may not produce the results that assure that the national labs remain as a strong science asset for the country.

Mr. SCHIFF. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to respectfully oppose the gentleman from New Jersey's amendment to essentially do an across-the-board cut in national laboratory staff of one-third. I want to say at the outset that there are two national laboratories in New Mexico, but these two national laboratories fall jurisdictionally more on the military side of funding and would not be affected by the gentleman's bill, and I emphasize that to point out that my particular State would not be affected by the bill if it does become law. However, I want to emphasize that I think it is a mistake to come forward with the idea of a one-third across-the-board cut.

I would say that my colleague from New Mexico, Mr. RICHARDSON's, amendment is a better approach if we have to act in this bill. However, I believe that both are unnecessary. It is my view, Mr. Chairman, that every agency, and every program, funded by the Federal Government does indeed have an obligation to look to see how it can oper-

ate more efficiently, more effectively, and in a better way for the taxpayers, and nobody is exempt from that, not the national laboratories, including the national laboratories that are in New Mexico, as far as that goes, but an across-the-board cut is not based upon any finding of there is a more efficient way of doing things.

It is true that the Galvin Commission estimated that perhaps the national laboratories could be reduced by one-third in personnel, but he was talking about specific personnel in specific places, and even then only if certain management changes were made from the point of view of the Department of Energy. So it is a process that we should work at deliberately and identify those positions which might be reduced and not be arbitrary about it for the national laboratories or any other program.

I want to say also that in the Committee on Science we are working on this issue. I have a bill introduced, H.R. 2142, which attempts to set out missions for the national laboratory and an obligation upon the Secretary of Energy to refine those missions, to assign them to appropriate laboratories to avoid duplication of process where it is not necessary and to try to achieve maximum efficiency.

There are other bills that would set up, for example, a military BRAC type of closure board to examine national laboratories for closure. I do not agree with those bills, but at least a closure board would be looking individually at laboratories and would not be an across-the-board cut either.

I think an across-the-board cut is bad policy. I think we can stay within a bald budget, which is our necessary economic goal, without doing so, and I would, therefore, urge rejection of the Roemer amendment.

Mr. RICHARDSON. Mr. Chairman, I ask unanimous consent to strike the requisite number of words.

The CHAIRMAN. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

(Mr. RICHARDSON asked and was given permission to revise and extend his remarks.)

Mr. RICHARDSON. Mr. Chairman, let me put in perspective what we are doing here.

The gentleman from Indiana's amendment cuts the civilian labs by 33 percent. My amendment cuts by 15 percent but is consistent with the Department of Energy's cost-cutting measures.

Now I do not think Members of Congress would want to get on record against reductions and, perhaps, wastes that already are taking place, and I would like to just simply read some of the labs that would be affected under Mr. ROEMER's amendment.

Argonne National Laboratory, University of Chicago; Brookhaven National Laboratory, Upton, NY; Idaho

National Engineering Laboratory; Lawrence Berkeley Laboratory at the University of California; Oak Ridge National Laboratory; the Pacific Northwest Laboratory; Ames Laboratory; Continuous Electron Beam Accelerator Facility; Fermi National Accelerator Laboratory; National Renewable Energy Laboratory; Oak Ridge Institute for Science and Education; Princeton Plasma Physics Lab; Savannah River Tech Center; Stanford Linear Accelerator Center; Bettis Atomic Power Lab; Energy Technology Engineering Center; Environmental Measurements Lab; Inhalation Toxicology Research Institute; Knolls Atomic Power Lab; Lab of Biomedical and Environmental Sciences; Lab of Radiology and Environmental Health; National Institute for Petroleum and Energy Research; New Brunswick Labs; and Savannah River Ecology Lab.

□ 1545

What I just want to do, Mr. Chairman, is say this. My amendment is consistent with what DOE is doing. They do not want to cut 15 percent, but we, through the strong efforts of many on the majority and minority, are saying "We do not have the money anymore. You have to do more with less."

If we go beyond the 15 percent, we are cutting science, we are cutting the future. I agree with the chairman, the gentleman from New Mexico [Mr. SCHIFF], and the gentleman from Pennsylvania [Mr. WALKER], we should not be doing 30 or 15 percent. We are not scientists. I think we have to make good science decisions with good budget decisions.

My amendment is supported by the administration. I hope that is not the kiss of death with everybody here, but if they vote against my amendment at 15 percent, Members are voting against even cutting what the labs are already doing. I know this is an authorization effort, and it requires a lot more study. I think this Committee on Science has done a good job. The bill of the gentleman from New Mexico [Mr. SCHIFF], I support it, too. However, I am here sort of as a fireman to try to stop a cut by one-third that some very respected Members of Congress are offering that are going to cut 14,000 jobs, and that I do not think is good science.

Mr. ROEMER. Mr. Chairman, will the gentleman yield?

Mr. RICHARDSON. I yield to the gentleman from Indiana.

Mr. ROEMER. Mr. Chairman, I have always had a great deal of respect for my good friend, the gentleman from New Mexico. I did not know it was possible to get 10 minutes to speak on his same amendment. He has a lot more power than I gave him credit for. I have even more respect for him.

However, the point that the gentleman is making by reading the list of national laboratories is one of the points that I make, in that not every one of those is going to be affected. There could be two of those that are af-

fected by cutting out different personnel and making better efficiencies in our national laboratories that even you admit should be done.

The second point is we are all proud of the Nobel Prize winners that are being announced, and so many of them from America. So many of these Nobel Prize winners are also from our private laboratories and our private universities. This bill seeks a better partnership and cooperation with our laboratories and universities, the University of Chicago and other schools.

Mr. ROHRABACHER. Mr. Chairman, will the gentleman yield?

Mr. RICHARDSON. I yield to my good friend, the gentleman from California.

Mr. ROHRABACHER. Mr. Chairman, the gentleman is saying that what he is presenting to us is the position of President Clinton?

Mr. RICHARDSON. I am offering an amendment, Mr. Chairman, at the request of the Department of Energy that says we can live with 15 percent over 5 years. We are going to be doing that as part of the mandates by Congress, but if we go beyond that, at 30 percent, then we are cutting science, we are cutting 14,000 people. It is a meat-axe approach.

Mr. ROHRABACHER. If the gentleman will continue to yield, Mr. Chairman, I would ask, his figures are consistent with the President's request?

Mr. RICHARDSON. The President is 25 percent higher. The President's budget request is 25 percent higher. What my amendment does is cut it by a certain percentage; as I said, 15.

Mr. ROHRABACHER. What the gentleman is saying is we should be supportive of his position because his numbers are closer to what the President would request on this item?

Mr. RICHARDSON. Let me say that I am told that Secretary O'Leary has agreed to 10 percent, and I believe the 15 percent is a goal that most likely can be achieved, by balanced budget provisions or otherwise.

Mr. ROHRABACHER. Mr. Chairman, those of us who are not in support of the President's position would be opposed to the gentleman's amendment.

Mr. WAMP. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, we are having a healthy discussion this afternoon about the role of the national laboratories. We need to have this discussion, and actually I think this first amendment here is going to flesh out a lot of the feelings and points that Members need to make with respect to this issue, and probably avoid a lot of discussion in the later amendments. I want to back up just for a moment, though, because I have become so sensitive since I became a Member of Congress to how the use of words can confuse people.

I want to go back to what our distinguished chairman of the Committee on Science, the gentleman from Penn-

sylvania [Mr. WALKER], said in the well just a few minutes ago when he was talking about Bob Galvin's recommendations and the Galvin report when he used the word privatization.

I just want to point out that the word "corporatization" is what Bob Galvin used time and time again in the Galvin report. Privatization has a different meaning to a whole lot of different people. I do not want anyone thinking that the Republican chairman of the Committee on Science recommended privatizing our national laboratories based on his use of that word a few minutes ago. Corporatization is a different approach. It is not selling off the laboratories. That is not what Galvin said.

Let the record be clear, that is not what the chairman of the committee, the gentleman from Pennsylvania, just said. I want that pointed out. There are so many people that take words and use them, that the "Republican majority is trying to privatize." No, corporatization means private contractors manage. We have that right now across the country. It is more efficient, wherever it can be properly applied. Let us not abuse the word privatization.

Mr. Chairman, I do want to identify myself with the comments from the distinguished chairman of the Subcommittee on Basic Research of the Committee on Science, the gentleman from New Mexico [Mr. SCHIFF], on his bill, H.R. 2142, which I do support, which redefines the missions of our Federal laboratory system in the post-cold war era. I support that concept, and it really does not line up with the proposals that are before us in these next three amendments.

Mr. KLUG. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the Richardson amendment. Let us make it very clear, there is a clear distinction, I think, obviously to anybody who looks at the choice in these amendments, between the amendment offered by my friend and colleague, the gentleman from Indiana [Mr. ROEMER], and myself, and the gentleman from New Mexico [Mr. RICHARDSON]. The amendment of the gentleman from Indiana says the Department of Energy will cut 30 percent. The amendment of the gentleman from New Mexico [Mr. RICHARDSON] says we will set up a committee that may recommend that we may cut 15 percent, if the Secretary thinks it is a good idea.

So we have a clear choice. It is pretty easy. Either you think the DOE labs should be shrunk and you want to make a 30-percent cut, or you think we need another commission. That is the one thing Washington has more of than we have national energy labs at this point.

We have had two studies done on the DOE labs in the last year. The first, the Galvin Commission, which we have talked about, says in one of its earliest conclusions, "The National Labs

should be downsized." That is what the commission we set up to review the DOE labs said. That is the conclusion, downsize the DOE labs.

A few minutes ago the gentleman from New Mexico [Mr. RICHARDSON] shrunk in horror when he said, "You know, the result of this could be that we may close one of them if we force them to close 30 percent." What a horrible idea. They are scattered across the country.

What else did Galvin say? It says, "The existing budget of the National Laboratory system exceeds that required to perform its agenda in the areas of national security, energy, environment, and fundamental science." In other words, we have more labs than we have work to do at the laboratories. That is the very condition and the very conclusion, downsize because we do not have enough work to do.

"It is unrealistic for these institutions to attempt to retain their current size by laying claims to new missions." In other words, if we do not have enough work to do at the laboratories already and we have excess laboratories, we will just think of new things for them to do. One of the new things, frankly, is to get involved in industrial policy and advanced technology.

To the credit of the gentleman from Pennsylvania [Mr. WALKER], I think he has been absolutely right on point on this issue, that when the Federal Government is involved in science, it should be involved in basic science. One of the things he has done, and sent a very strong message in this bill and his other work in the committee, is to get away from applied science and industrial policy and to get us into basic research.

If what we are going to do is to stay with basic research, we should define what that research mission is. If we are keeping labs alive essentially by creating industrial policy, that is a fundamental mistake. I am not making that up, the Galvin Commission came to the same conclusion: "Through downsizing, there may be opportunities in the future to convert one or more multi-program laboratories into institutions dedicated to only one primary mission."

The bottom line in all of this, Mr. Chairman, is the fact that we now have a series of laboratories stretching across the country largely created to help do defense research during the cold war. As that nuclear mission has shrunk, we only have two or three key laboratories, including that of the gentleman from New Mexico [Mr. SCHIFF] in his district, doing military-related research.

Unfortunately for a number of those other laboratories, we do not have missions for them today. I think the amendment of the gentleman from Indiana [Mr. ROEMER] and myself is exactly right, that when we do not have a mission, we should force the Secretary of Energy to make difficult de-

cisions about which of those labs to keep open and which of those labs to close. Before we have to do that, fundamentally we have to decide what the core mission is going to be of the Department of Energy laboratories, so we can say "This lab does this, this lab does this, and this lab no longer has any business."

Mr. Chairman, we have to, I think, at the end of the cold war, make very difficult decisions about defense programs. We have made difficult decisions about which DOE labs belong in continuing to do that defense mission, but fundamentally we have to cut 30 percent of the spending, because we have to force closure of the labs, and in contrast to my colleague, the gentleman from New Mexico, I do not think that is a horror story. Frankly, I think for this Congress that will be a success story.

Mr. RICHARDSON. Mr. Chairman, will the gentleman yield?

Mr. KLUG. I yield to the gentleman from New Mexico.

Mr. RICHARDSON. Mr. Chairman, I would just like to state, first of all, the Galvin Commission said nothing about cutting the labs by a third. I do not believe the chairman of the Committee on Science is supporting the gentleman's amendment, nor is the minority. I think the decision should be made on science, on production, and on cost cutting. My amendment at 15 percent achieves all of those goals. I just want to point that out for the RECORD.

I want the gentleman to affirm whether I am correct. Does the Galvin Commission support the gentleman's amendment?

Mr. KLUG. I do not think the Galvin Commission said whether it was a 15-percent or 30-percent cut. They recommended redefining the mission of the laboratories and appropriately downsizing. I agree with my colleague, the gentleman from Indiana [Mr. ROEMER] that we should be much more aggressive rather than timid in this area.

Mr. ROEMER. Mr. Chairman, will the gentleman yield?

Mr. KLUG. I yield to the gentleman from Indiana.

Mr. ROEMER. Actually, Mr. Chairman, what the Galvin report said, I would say to the gentleman from New Mexico [Mr. RICHARDSON], was we should corporatize or privatize a host of laboratories. We are not in favor of that. The gentleman from Wisconsin, [Mr. KLUG], and I are saying they are a valuable resource.

Mr. KLUG. Reclaiming my time, actually, I am in favor of privatizing, but as an intermediate step.

Mr. ROEMER. I am sorry for stepping ahead to the gentleman's next amendment, but I am not in favor of that, and I think we should maintain those as a national resource and asset.

Mr. TIAHRT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to start by saying that the gentleman from New Mex-

ico [Mr. RICHARDSON] is probably a better advocate for the Secretary of State than he is for the Secretary of the Department of Energy.

I do think that there is a significant difference between these two amendments, as was pointed out by the gentleman from Wisconsin. On one hand, one requires a recommendation or a report, and that is the Richardson amendment. The other one, the so-called Roemer amendment, does require action.

I think that the downsizing is a topic that has often plagued the private sector in America. In my own area, Wichita, KS, where the Boeing Co. has recently gone from 24,000 employees to 15,000 employees, that is a significant downsizing. Other companies like IBM, they have also had to face downsizing. What has occurred through the process is the establishment of priorities: What is the company in business for, what is important to the stockholders, and how can they best serve those stockholders.

I think that the Roemer amendment does drive priorities by forcing a downsizing. I think that downsizing and the priorities establishment is something that has been lacking.

I want to say Secretary O'Leary is, I think, on the right track to some degree, which is demonstrated in the Richardson amendment when it talks about the functions of the Board, on page 3, is to help sharpen the mission focus of the Department laboratories. That is a very good thing to do.

However, the so-called Roemer amendment would be more effective in doing that because it does drive action for the reductions of 33 percent, so I think that most of us would prefer action over recommendations, and that is why I rise in opposition to the Richardson amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Mexico [Mr. RICHARDSON] as a substitute for the amendment offered by the gentleman from Indiana [Mr. ROEMER].

The question was taken; and the Chairman announced that the yeas appeared to have it.

RECORDED VOTE

Mr. RICHARDSON. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. Pursuant to clause 2(c) of rule XXIII, the Chair may reduce to 5 minutes the minimum time for electronic voting, if ordered, on the underlying Roemer amendment.

The vote was taken by electronic device, and there were—ayes 147, noes 274, not voting 11, as follows:

[Roll No. 703]

AYES—147

Ackerman	Bentsen	Browder
Allard	Berman	Brown (CA)
Armey	Bevill	Brown (FL)
Baldacci	Bishop	Brown (OH)
Barcia	Bonior	Bryant (TX)
Becerra	Borski	Callahan
Beilenson	Boucher	Clay

Clayton
Clyburn
Coburn
Coleman
Coyne
Collins (IL)
Collins (MI)
Condit
Conyers
Costello
Coyne
Cramer
Danner
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doyle
Durbin
Engel
Ensign
Evans
Everett
Fattah
Fazio
Filner
Flake
Foglietta
Ford
Fox
Franks (NJ)
Frost
Furse
Gejdenson
Gephardt
Gibbons
Gonzalez
Green
Gutierrez

Hancock
Hastings (FL)
Hefner
Hilliard
Hinchey
Horn
Hoyer
Jackson-Lee
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kennedy (RI)
Kildee
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lowey
Maloney
Manton
Martinez
Mascara
Matsui
McCarthy
McDermott
McKinney
McNulty
Meek
Ford
Miller (CA)
Minge
Montgomery
Moran
Nadler
Oberstar
Oliver
Ortiz
Owens
Pastor

Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pomeroy
Poshard
Rahall
Rangel
Richardson
Rivers
Roberts
Rose
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Skaggs
Skelton
Spratt
Stearns
Stokes
Studds
Stump
Thompson
Torres
Towns
Velazquez
Vento
Waters
Watt (NC)
Waxman
Wise
Woolsey
Wyden
Wynn
Yates

NOES—274

Abercrombie
Andrews
Archer
Bachus
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bateman
Bereuter
Billray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brewster
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Calvert
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clement
Clinger
Coble
Collins (GA)
Combest
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis

Deal
DeLay
Diaz-Balart
Dickey
Doggett
Dooley
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Eshoo
Ewing
Farr
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Frank (MA)
Franks (CT)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Gordon
Goss
Graham
Greenwood
Gunderson
Gutknecht
Lofgren
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman

Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jacobs
Johnson (CT)
Johnson, Sam
Jones
Kaptur
Kasich
Kelly
Kennedy (MA)
Kim
King
Kingston
Klecza
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourrette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lucas
Luther
Manzullo
Markey
Martini
McCollum
McCrery
McDade
McHale
McHugh

McInnis
McIntosh
McKeon
Meehan
Menendez
Metcalf
Meyers
Mica
Miller (FL)
Mink
Molinari
Mollohan
Moorhead
Morella
Murtha
Myers
Myrick
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Obey
Orton
Oxley
Packard
Pallone
Parker
Paxon
Petri
Pickett
Pombo
Porter
Portman
Pryce
Quillen

Quinn
Radanovich
Ramstad
Reed
Regula
Riggs
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Sisisky
Skeen
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stark
Stenholm
Stockman

Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torricelli
Traficant
Upton
Visclosky
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Williams
Wolf
Young (AK)
Young (FL)
Zimmer

NOT VOTING—11

Bass
Dornan
Fields (LA)
Kennelly

Moakley
Schiff
Tejeda
Tucker

Volkmer
Wilson
Zeliff

□ 1621

Mrs. MALONEY, Ms. HARMAN, and Messrs. DOGGETT, KENNEDY of Massachusetts, MOLLOHAN, THORNTON, and PARKER changed their vote from “aye” to “no.”

Messrs. HANCOCK, ALLARD, and STEARNS changed their vote from “no” to “aye.”

So the amendment offered as a substitute for the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. ROEMER].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. ROEMER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 135, noes 286, not voting 11, as follows:

[Roll No. 704]

AYES—135

Allard
Andrews
Ballenger
Barcia
Barr
Barrett (WI)
Barton
Brownback
Burr
Burton
Callahan
Camp
Cardin
Castle

Chenoweth
Christensen
Clayton
Coble
Coburn
Collins (GA)
Combest
Condit
Conyers
Cooley
Costello
Cox
Coyne
Cremeans

Cubin
Danner
Deal
Doggett
Doyle
Ensign
Everett
Flanagan
Foley
Fox
Frank (MA)
Franks (NJ)
Funderburk
Geren

Gilchrest
Goss
Greenwood
Hamilton
Hancock
Harman
Hayworth
Heineman
Hobson
Hoekstra
Hoke
Holden
Hostettler
Inglis
Istook
Jacobs
Johnson (SD)
Johnson, Sam
Kanjorski
Kaptur
Kasich
Kennedy (RI)
Klecza
Klink
Klug
LaHood
Largent
Latham
Laughlin
Lincoln
Linder

LoBiondo
Longley
Lowey
Luther
Mascara
McHale
McIntosh
Meehan
Metcalf
Miller (FL)
Minge
Mink
Montgomery
Myers
Myrick
Neal
Neumann
Ney
Norwood
Obey
Owens
Oxley
Parker
Peterson (MN)
Petri
Pomeroy
Portman
Poshard
Pryce
Radanovich
Ramstad

Reed
Roemer
Rohrabacher
Roth
Royce
Sabo
Salmon
Sanford
Scarborough
Schroeder
Shadegg
Shays
Smith (MI)
Smith (WA)
Souder
Stark
Stearns
Stenholm
Stockman
Stump
Stupak
Talant
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torricelli
Traficant
Upton
Visclosky
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Williams
Wolf
Young (AK)
Young (FL)
Zimmer

NOES—286

Abercrombie
Ackerman
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Barrett (NE)
Bartlett
Bateman
Becerra
Beilenson
Bentsen
Bereuter
Berman
Bevill
Billray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Buyer
Calvert
Canady
Chabot
Chambliss
Chapman
Chrysler
Clay
Clement
Clinger
Clyburn
Coleman
Collins (IL)
Collins (MI)
Cramer
Crane
Crapo
Cunningham
Davis
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Diaz-Balart
Dickey

Dicks
Dingell
Dixon
Dooley
Doolittle
Dreier
Duncan
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Evans
Ewing
Farr
Fattah
Fawell
Fazio
Fields (TX)
Filner
Flake
Foglietta
Forbes
Ford
Fowler
Franks (CT)
Frelinghuysen
Frisa
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gooding
Gordon
Graham
Green
Gunderson
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hefley
Hefner
Herger
Hilleary
Hilliard
Hinchey
Horn
Houghton

Hoyer
Hunter
Hutchinson
Hyde
Jackson-Lee
Jefferson
Johnson (CT)
Johnson, E. B.
Johnston
Jones
Kelly
Kennedy (MA)
Kildee
Kim
King
Kingston
Knollenberg
Kolbe
LaFalce
Lantos
LaTourrette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Lipinski
Livingston
Lofgren
Lucas
Maloney
Manton
Manzullo
Markey
Martinez
Martini
Matsui
McCarthy
McCollum
McCrery
McDade
McDermott
McHugh
McInnis
McKeon
McKinney
McNulty
Meek
Menendez
Meyers
Mfume
Mica
Miller (CA)
Molinari
Mollohan
Moorhead
Moran
Morella
Murtha
Nadler
Nethercutt
Nussle
Oberstar
Oliver

Ortiz	Saxton	Torres
Orton	Schaefer	Torricelli
Packard	Schumer	Towns
Pallone	Scott	Traficant
Pastor	Seastrand	Velazquez
Paxon	Sensenbrenner	Waldholtz
Payne (NJ)	Serrano	Walker
Payne (VA)	Shaw	Walsh
Pelosi	Shuster	Wamp
Peterson (FL)	Sisisky	Ward
Pickett	Skaggs	Watt (NC)
Pombo	Skeen	Waxman
Porter	Skelton	Weldon (FL)
Quillen	Slaughter	Weldon (PA)
Quinn	Smith (NJ)	Weller
Rahall	Smith (TX)	White
Rangel	Solomon	Whitfield
Regula	Spence	Wicker
Richardson	Spratt	Williams
Riggs	Stokes	Wise
Rivers	Studds	Wolf
Roberts	Tanner	Woolsey
Rogers	Tate	Wyden
Ros-Lehtinen	Taylor (NC)	Wynn
Rose	Thomas	Yates
Roukema	Thompson	Young (AK)
Roybal-Allard	Thornton	Young (FL)
Rush	Thurman	Zimmer
Sanders	Tiahrt	
Sawyer	Torkildsen	

NOT VOTING—11

Bass	Moakley	Volkmer
Dornan	Schiff	Wilson
Fields (LA)	Tejeda	Zeliff
Kennelly	Tucker	

□ 1631

Mr. MARKEY changed his vote from "aye" to "no."

Mr. SAM JOHNSON of Texas, Mrs. LOWEY, and Messrs. STOCKMAN, PORTMAN, NORWOOD, UPTON, BURTON of Indiana, and COOLEY changed their vote from "no" to "aye".

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Committee will rise informally in order that the House may receive a message.

MESSAGE FROM THE PRESIDENT

The SPEAKER pro tempore (Mr. BONILLA) assumed the chair.

The SPEAKER pro tempore. The Chair will receive a message.

A message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

□ 1635

OMNIBUS CIVILIAN SCIENCE
AUTHORIZATION ACT OF 1995

The Committee resumed its sitting.
The CHAIRMAN. Are there further amendments to title III?

AMENDMENT OFFERED BY MR. WALKER

Mr. WALKER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WALKER: Page 90, line 16, strike "\$49,955,000" and insert "\$121,265,000."

Page 90, line 17, strike "\$43,234,000" and insert "\$55,714,000."

Page 90, line 20, strike "\$59,829,000" and insert "\$112,186,000."

Page 90, line 22, strike "\$45,535,000" and insert "\$66,597,000."

Page 90, line 23, strike "\$476,000" and insert "\$1,701,000."

Page 91, line 3, strike "\$1,994,000" and insert "\$2,304,000."

Page 91, line 5, strike "\$7,557,000" and insert "\$6,295,000."

Page 91, line 7, strike "\$12,370,000" and insert "\$14,919,000."

Page 91, after 7, insert the following new paragraph:

(9) Fuels Conversion, Natural Gas, and Electricity, \$2,687,000.

Page 91, line 13, strike "\$55,074,000" and insert "\$88,645,000."

Page 91, line 14, strike "\$55,110,000" and insert "\$109,518,000."

Page 91, line 15, strike "\$112,123,000" and insert "\$176,568,000."

Page 91, line 17, strike "\$7,813,000" and insert "\$31,600,000."

Page 91, after line 17, insert the following:
(5) Policy and Management—Energy Conservation, \$7,666,000.

(e) FISCAL YEAR 1997.—There are authorized to be appropriated to the Secretary for fiscal year 1997 for operating, capital equipment, and construction, the following amounts:

(1) Energy Supply Research and Development Activities, \$2,600,000,000.

(2) General Science and Research Activities, \$950,000,000.

(3) Fossil Energy Research and Development, \$220,950,000.

(4) Energy Conservation Research and Development, \$230,120,000.

Page 93, strike lines 3 and 4 and lines 21 and 22; and redesignate the subparagraphs accordingly.

Page 103, line 24, strike "Unobligated" and insert in lieu thereof "Subject to further appropriations, unobligated".

Mr. WALKER (during the reading). Mr. Chairman, I ask unanimous consent the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WALKER. Mr. Chairman, this amendment essentially is an attempt to bring about where the authorization bill is in the energy area in line with where the Interior appropriations conference report has come in terms of numbers. So what we do in this particular amendment is align the 1996 authorization levels for fossil energy and energy conservation R&D with the levels contained in the 1996 Interior appropriations conference report. I think that solves the problems of a couple of Members who wanted to make certain that our authorization bill, if it passed, did not interfere with the arrangements that have already been made with regard to the fossil energy accounts in the present appropriations bill.

But beyond that, it needs to be understood that one of the reasons why we accepted somewhat higher levels than the original authorization bill called for in Interior appropriations was because there was a problem in terms of close-out costs and a number of other anomalies in the process that gave them a 1-year problem. So as a result, when the House committee came forward with its report, that is, the appropriations subcommittee, what they did was indicated that they would then look at a plan for downsizing these accounts over the years in the future.

I quote from page 80 of that report: "Those would be in line or be consistent with the recommendations of the authorization committee of jurisdiction as adopted by the House."

So it was our feeling that this whole arrangement is based upon the fact that, yes, for this year we are going to have to have numbers consistent with close-out costs and a number of other items.

But as we look out toward the next year, then we have to make certain that we get these accounts on a glide path toward a balanced budget by the year 2002.

So this amendment also contains 1997 spending figures which are consistent with the amounts of money that presently are in the authorization bill for 1996. In other words, what we have done is we have accepted the Interior appropriations numbers for this year, and then we have moved the bills' authorized amounts to next year, which means there would be a reduction next year over what is being spent this year, but it would still be considerably above what the budget recommendation called for. We think it does establish a glide path toward a balanced budget.

So I would say to my colleagues that if what you want to do is assure that in these authorized accounts we do get ourselves on the road toward a balanced budget and assure that we are going to get to a balanced budget by the year 2002, what you want to do is support this amendment. It does two things: Yes, for the moment it raises the authorized levels to the appropriated levels to conform our bill with what is coming along in the appropriations accounts, but for the future what it does is it assures we are on the glide path to a balanced budget beginning with the amounts that are put in the bill for next year.

I would urge you to accept this amendment, to assure that we do two things: make certain that we have sufficient authorization to cover the appropriations for this year; but, second, to assure that next year we are on the glide path toward a balanced budget.

Mr. BROWN of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I am sympathetic to the amendment offered by the gentleman from Pennsylvania, and I know he offers the amendment in an effort to make this bill a more acceptable bill and more in conformity with actions already taken by the Committee on Appropriations.

But let me indicate, in all honesty, some of my reservations about this, and they are probably nitpicking. We proposed earlier a couple of amendments which were aimed at doing essentially the same thing in other categories where the authorization is below the appropriation. The chairman, in his eloquence, and he is very eloquent, defended to the death the logic of maintaining our authorization in this bill substantially below both the House- and the Senate-appropriated numbers.

I understand that consistency is the hobgoblin of small minds, and the gentleman from Pennsylvania [Mr. WALKER] certainly does not have a small mind and, therefore, does not have to be consistent, but I raise that point just so that we will understand that on occasion we can be inconsistent and the result is not always bad.

In this case, his willingness to raise the 1996 figures for this category of energy R&D to the level already appropriated is commendable. Now, the other part of his amendment is not quite so commendable, because it then goes on to authorize for fiscal year 1997.

There are one or two places in this bill where we have 2-year authorizations, but it is not the pattern, and certainly not in this particular case. This is another technical inconsistency. I can understand that the gentleman from Pennsylvania [Mr. WALKER], in his desire to put his imprint as much as possible on the future, now wants to imprint his 1997 numbers, which he has not yet had a chance to do in the Committee on the Budget, onto this bill. I would prefer that he followed due procedure and waited until, as vice chairman of the Committee on the Budget, he can undoubtedly influence them to come up with these numbers, and then we could put it in another bill.

But, as I say, I am nitpicking here, because essentially I believe in 2-year authorizations, and I certainly believe that they should not be lower than the appropriations. So I take this opportunity to take advantage of it to point these things out and hope that the political dialog can be somewhat more rational as a result of it.

Mr. WAMP. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I certainly commend our distinguished chairman of the full Committee on Science for this action.

What has happened here is that at our Committee on Science earlier this year as we did our work, the gentleman from Virginia [Mr. DAVIS] actually offered an amendment that said, and it passed the Committee on Science, that if the appropriators actually appropriated a dollar figure higher than the authorization that we were setting in place there, that we could increase these funds at that time, and this accommodates that desire.

As he knows, my friend from Pennsylvania, Mr. DOYLE, and I were prepared to offer an amendment, which is at the desk which I do not believe is necessary at this time, which would actually accommodate this, and the chairman saw this need to increase this funding up to that appropriated level in 1996.

I want to point out this keeps us within our budget caps, keeps us on the glide path to a balanced budget, something we can all agree must be done.

I commend the chairman for this action and support his initiative.

Mr. DOYLE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, first I want to commend the chairman of our Committee on Science, the gentleman from Pennsylvania [Mr. WALKER], for his action in this amendment. But I would like to express some concerns about this amendment also.

First of all, I think it is wonderful in this amendment that we are going to match the authorization levels in this bill with those contained in the Interior appropriations conference report. It is what we talked about doing in committee. It is what we talked about during the Davis amendment, and I commend the chairman for raising those levels.

However, I do have some concern with the fact that we are going to authorize 1997 numbers today, and some of the concerns I have are with regard to the fossil energy program. It is my understanding that, under the chairman's amendment, that we would be taking fossil energy from \$380 million down to \$220 million next year, in 1997.

I would like to read from the House Interior appropriations conference report, which says:

The committee recommendation reduces fossil energy research and development funding about 10 percent below fiscal year 1995 levels. The committee intends to continue reducing this account by 10 percent a year for each of the next 4 years.

So it seems to me that the language that I read in the House Interior appropriations conference report calls for a gradual phasing down of the fossil energy budget by an amount of 10 percent a year over the next 4 years.

As I understand the chairman's intention, it is his intention to get that entire cut in next year's budget in 1997, as opposed to doing it gradually, if I understand the chairman correctly, and I cannot in good conscience support that type of a cut in a 1-year period.

I do support the conference report, which gets us there 10 percent a year over a 4-year period.

AMENDMENT OFFERED BY MR. DOYLE AS A SUBSTITUTE FOR THE AMENDMENT OFFERED BY MR. WALKER

Mr. DOYLE. Mr. Chairman, I offer an amendment as a substitute for the amendment.

The Clerk read as follows:

Amendment offered by Mr. DOYLE as a substitute for the amendment offered by Mr. WALKER:

Page 90, line 16, strike "\$49,955,000" and insert in lieu thereof "\$121,265,000".

Page 90, line 17, strike "\$43,234,000" and insert in lieu thereof "\$55,714,000".

Page 90, line 20, strike "\$59,829,000" and insert in lieu thereof "\$112,186,000".

Page 90, line 22, strike "\$45,535,000" and insert in lieu thereof "\$66,597,000".

Page 90, line 23, strike "\$476,000" and insert in lieu thereof "\$1,701,000".

Page 91, line 3, strike "\$1,994,000" and insert in lieu thereof "\$2,304,000".

Page 91, line 5, strike "\$7,557,000" and insert in lieu thereof "\$6,295,000".

Page 91, line 7, strike "\$12,370,000" and insert in lieu thereof "\$14,919,000".

Page 91, after line 7, insert the following new paragraph:

(9) Fuels Conversion, Natural Gas, and Electricity, \$2,687,000.

Page 91, line 13, strike "\$55,074,000" and insert in lieu thereof \$88,645,000".

Page 91, line 14, strike "\$55,110,000" and insert in lieu thereof \$109,518,000".

Page 91, line 15, strike "\$112,123,000" and insert in lieu thereof \$176,568,000".

Page 91, line 17, strike "\$7,813,000" and insert in lieu thereof \$31,600,000".

Page 91, after line 17, insert the following: (5) Policy and Management—Energy Conservation, \$7,666,000.

Page 93, lines 4 and 5, strike paragraph (29).

Page 93, lines 21 and 22, strike paragraph (41).

Redesignate paragraphs (30) through (42) on page 93 accordingly.

Page 91, at the end of section 303, insert the following new section:

(e) FISCAL YEAR 1997.—There are authorized to be appropriated to the Secretary for fiscal year 1997, for the purposes for which amounts are authorized under subsections (c) and (d), amounts which are 10 percent less than the amounts authorized under such subsections.

Mr. DOYLE (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

□ 1645

Mr. DOYLE. Mr. Chairman, basically what my substitute amendment does is basically what the chairman does in his amendment; we raise the fossil energy and energy conservation levels up to the level in the Interior appropriations conference report. The only difference is for the year 1997, since we are doing a 2-year authorization, that we in 1997 authorize 10 percent less basically in accordance to the language of the House conference report which calls for a 10 percent reduction over the next 4 years. We just do that in 1997. It is basically the same as what the gentleman from Pennsylvania [Mr. WALKER] does, with the exception being we are authorizing a 10 percent reduction in 1997 versus a reduction from \$380 million to \$220 million.

Mr. ROHRBACHER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, it just seems to me we have got two alternatives in front of us: One alternative by the chairman, who basically is setting forth a proposal that we balance the budget. Again we are faced with another alternative coming from the other side of the aisle in which balancing the budget has no priority whatsoever.

While I have some questions about the chairman's original proposal, certainly this substitute basically takes away from the chairman's long-term goals, and I think they are supposed to be the long-term goals of this Congress, which is we will balance the budget within a reasonable period of time.

I remember during the early days of this session when the Republicans were challenged, people said, "We do not need a balanced budget amendment. Just do it. Just go ahead and do it."

Well, that is what we are trying to do. Over and over again, what we found is every time we try to do this, because the people said, "You do not need the balanced budget amendment, you can do it because you are the majority," when we try it, we get nothing but opposition from the other side of the aisle.

This is yet another example of how, when we are trying to balance the budget, not only can we not get a balanced budget amendment, but we cannot get a game plan to lead us to a balanced budget amendment.

Mr. DOYLE. Mr. Chairman, will the gentleman yield?

Mr. ROHRABACHER. I yield to the gentleman from Pennsylvania.

Mr. DOYLE. Mr. Chairman, the gentleman is talking to one of the Democrats that voted for a balanced budget amendment. Raising this up to the authorization levels in the Appropriations Subcommittee on Interior is consistent with the House budget resolution asking for a 10 percent reduction.

Mr. ROHRABACHER. That is what the chairman is doing.

Mr. DOYLE. I agree with the chairman. The chairman and my amendment are similar in that respect. We both agree with that. Where my amendment differs is I am using the report language in the Interior appropriations conference report. I read it verbatim.

It is my impression that the members of that conference and the chairman of the House Appropriations Subcommittee on Interior are also committed to balancing the budget. I think I am just reading the language, not from any Democrats; I am reading the House conference report, which is Republican language and is consistent with what your Interior appropriations chairman has said, which is we will reduce these accounts 10 percent a year over the next 4 years.

We are committed to reducing these accounts. It is just that the gentleman from Pennsylvania [Mr. WALKER] proposes to do it in 1 year. We propose to do it over a 4-year period, both consistent with balancing the budget. I appreciate the gentleman's comments, but I wish the gentleman would not characterize it as us not wanting to balance the budget.

Mr. ROHRABACHER. Mr. Chairman, reclaiming my time, it seems every time we come forward with some proposal like this, there is some kind of objection. I think the gentleman from Pennsylvania, Chairman WALKER, just like the other members of the committee on the majority side, have made their commitment to try to do what we can to balance the budget. I personally would go a lot further than what the gentleman from Pennsylvania [Mr. WALKER] has, but he wants to be responsible and try to make sure everybody can vote for this, and he is letting DANA ROHRABACHER be the radical here. But the fact is I would even be more strenuous in cutting down the budget

than the gentleman from Pennsylvania [Mr. WALKER]. He is being frugal, but not irresponsible. Now what we find is even a frugal approach is being rejected by the other side of the aisle.

Mr. WALKER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, we have an interesting series of arguments going on. On the one hand, we have the ranking Democrat on the committee arguing that these are somehow my figures, that I created these figures.

None of the figures we are dealing with here were created by this chairman. They were figures created by our committee. Our committee voted for the \$220 million. They voted for the \$220 not for next year, but for this year. That is the authorization level. That is what our committee decided to do, by a majority vote in our committee. We made that determination. These are not Chairman WALKER's figures; they are the figures developed as a part of our consensus process.

Now, the fact is that as we move forward, that the Committee on Appropriations said there are a number of contracts and all kinds of problems in keeping with that figure for this year. We have decided to agree with that, that in essence that for this year we will accept that figure. So we are giving them the authorization numbers that they need in order to comply with contractual arrangements and a number of other anomalies within the process.

Now, what they wrote in their report was if there is no authorization figure, that their intent is to go at 10 percent a year. That is what the Committee on Appropriations decided to do. The authorizing committees, it may surprise some people to find out, have some authority in all of this, too, and in fact that was recognized in the report. What they said was they would agree to a plan for getting to a balanced budget that was passed by the House as an authorization plan. What we are trying to do here is to do exactly what the report asks us to do.

I realize there are people that would decide that they do not want to go that far, that they do not want to actually get us toward a balanced budget. Ten percent a year does not get one anywhere close to a balanced budget. The fact is that this year's number is within the context of the balanced budget.

But I do not think there is anybody who analyzes this and suggests that doing 10 percent a year over the next several years gets to a balanced budget.

So what we are trying to do here is make certain that we are taking an approach that recognizes what needs to be done this year, but, beginning next year, moves us on to that glidepath for a balanced budget.

My colleague from Pennsylvania has decided he does not want to do that. He wants to go to the overall figure. He wants to do 10 percent a year. He is

about \$270 million out of whack with me. He wants to spend \$270 million more than I do and call that a balanced budget approach? Fine. It is not. It does not get anywhere close to a balanced budget. It is, in fact the antithesis of a balanced budget, and it is the kind of thing that we cannot permit to have happen on a regular basis if we are going to meet the conditions that we have set forth.

So I would ask the House to reject the Doyle substitute. The Doyle substitute is, in fact, going the opposite direction from what we have to do. It takes these high figures from this year and uses them as a base off which to continue spending at levels that are much too high to get to a balanced budget.

I do not think that is the route that the House is going to take. It seems to me we want to get down to doing two things: We want to make certain that, as in the original Walker amendment, that we make certain our authorizations come to the appropriate numbers. But, second, we want to make certain that beginning next year, we get on the glidepath to the balanced budget that supposedly everybody is for. But it is always amazing to me, members say, "I voted for a budget amendment, I am for it." Fine. What did they vote to do to discipline yourself to actually get to one? That is what we are enacting in the House today.

Mr. WAMP. Mr. Chairman, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from Tennessee.

Mr. WAMP. Mr. Chairman, just to clarify then, now in 1996 the gentleman's amendment ups the amount to the full appropriated amount?

Mr. WALKER. Mr. Chairman, reclaiming my time, absolutely.

Mr. WAMP. Mr. Chairman, if the gentleman will continue to yield, in 1997 is it not possible we could reauthorize again next fall?

We are talking somewhat semantics, to reauthorize into the future. I understand the gentleman wants the stakes to be set in the ground. The fact is the appropriators are also going to have a voice in what we spend in 1997 as well.

Mr. WALKER. Mr. Chairman, reclaiming my time, they continue to have that voice. They did say in their report they would respect the authorization levels set by the House. I think that presents us with an opportunity and, in my view, an obligation to then give our best wisdom about how we move in that direction. With this amendment, what we are trying to do is meet that obligation and utilize that opportunity.

Mr. DOYLE. Mr. Chairman, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from Pennsylvania.

Mr. DOYLE. Mr. Chairman, this is the point I am trying to make.

It is my understanding that what the chairman wanted to do today is in effect lock us into a number, today, for

next year's authorization. If I would vote for the gentleman's amendment, what I am in effect voting for is not only to raise these levels up to the Interior, but I am also locking myself into saying I will vote for \$220 million for fossil energy next year.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. WALKER] has expired.

(By unanimous consent, Mr. WALKER was allowed to proceed for 1 additional minute.)

Mr. DOYLE. Mr. Chairman, if the gentleman will continue to yield, what I would like to see us do as the Committee on Science, No. 1, no member of the Committee on Science voted to authorize for 1997. We talked about 1996. That is what the vote was in the Committee on Science.

We said if additional moneys were found per the Davis amendment and per the gentleman's speeches here, too, we would authorize at higher levels. We found additional money. The appropriators gave us additional money, and we are upping it. Now we are going to say for 1997. No member of the Committee on Science voted only 1997 authorizations, as the gentleman tried to state. We are going to state today we are going to set 1997 authorization levels, and we are all going to be honor bound by that. I would expect the gentleman would intend to hold us to that.

Mr. WALKER. Mr. Chairman, reclaiming my time, the House Committee on Science did vote for the \$220 million per year for 1996, and we have simply extended that over to 1997, having gotten the new moneys.

I would say as chairman, that I have fulfilled the obligation that the committee gave me. If additional moneys were found, we were supposed to move ahead with it. I have done that, but we are now going to go to what the committee decided it wanted to do with the \$220 million.

Mr. BROWN of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am rising in support of the substitute amendment we are considering here and take issue with some of the statements which the chairman of the committee has made.

This has been a controversial area within the committee, because despite the chairman's protestations that these numbers have been arrived at by full and fair discussion in the committee, and so forth, the committee began the year with a memo from the chairman to the subcommittee chairmen telling them how much they could authorize within their subcommittees and asserting this was their 602(b) authorization number.

I think we all know that there is no such thing as a 602(b) authorization level for authorizing legislation. The process does not exist. The 602(b) process applies to appropriation bills only, and in fact the budget resolution applies to appropriation bills only, not the authorization bills, and the chair-

man knows this full well. But I sometimes suspect he thinks by talking real fast that people will think that he is saying something that is real important when it really has no basis in fact or law, and I regret this.

Mr. Chairman, I rise in strong support of the Doyle amendment to raise authorization levels for the fossil energy and conservation research and development activities of the Department of Energy. At a time when the United States is extremely dependent on foreign oil, the Congress should not move to slash research and development efforts in fossil energy and conservation.

I drove to work today in a car; I dare say most of us did. Figuratively speaking, half of the gas in my gas tank came from foreign countries. Do I want my grandkids to depend on foreign resources and to have the geopolitical problems that go along with them? Investment in R&D now will pay off later in increased energy conservation and less developed energy security problems. In 20 years, American auto manufacturers might be selling cars that are powered by renewable fuels or perhaps fossil resources will be increasingly produced domestically with enhanced recovery technologies. We cannot know now what the future will bring. However, we can be sure that with less R&D in these areas, the future will not bring as much innovation and discovery and that the American public will be poorer for it.

If we cut R&D, we will balance the budget but leave an investment deficit for our children. It simply doesn't make sense to stymie long-term investment in knowledge and discovery that can solve future fossil energy and energy security problems.

I urge my colleagues to vote for the Doyle amendment.

Mr. WALKER. Mr. Chairman, will the gentleman yield?

Mr. BROWN of California. I yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Chairman, the gentleman knows that the chairman has never contended in any way, shape or form that what he did in allocating 602(b)'s had any authority in law or the rules of the House. The chairman made the decision that that was the way he was going to run the committee.

The gentleman from California, when he ran the committee, ran it in a different way. He never gave his subcommittee chairman any caps. That was his choice. My choice was to try to exercise some degree of responsibility. I know the gentleman does not agree with that, but the gentleman has never stated anything that was not factual in that regard.

I simply stated from the beginning that this committee was going to operate in a sensible manner that lived within the budget restraints that this House had voted on itself. I know the gentleman does not agree with that, but the gentleman did not agree with the budget in the first place.

Mr. BROWN of California. Mr. Chairman, reclaiming my time, I am very pleased that the chairman has made this clarification, and he has stated that there is nothing in law or in the Budget Act that allows him to proscribe a number like he did.

Mr. WALKER. Mr. Chairman, if the gentleman will yield further, I am allowed to do it as chairman of the committee. It is not a matter of allowing. The gentleman is suggesting that there is nothing in the rules or in law. I am agreeing with the gentleman. As chairman of the committee, in consultation with the subcommittee chairmen, I am certainly allowed to do that. It is certainly something that we can do as a committee to be responsible. The gentleman does not like it, but it does not mean we are not allowed to do it.

Mr. BROWN of California. Mr. Chairman, reclaiming my time, I think this is a useful dialog, and I enter into it in good spirits because I have the greatest respects for the chairman, and the gentleman will recall that I have frequently praised him for the discipline and the leadership which he is giving his side of the committee, and I think he is setting new standards.

It is not the style I am accustomed to. I preferred a much more collegial way of operating. I was unaware, frankly, of the extensive deliberations that the gentleman claims he was had with the subcommittee chairmen in which he reached these numbers.

Now, that is the way the appropriators work. I assume the gentleman is saying he is following a similar process in the authorizing committee. I do not condemn the gentleman for that. I think that this is an interesting innovation, and I hope it works. But the gentleman is not very consistent.

The gentleman has just proposed an amendment which extends the authorization for an additional year, and, to the best of my knowledge, the gentleman has not brought this before the committee, either the minority or the majority, staff. The gentleman has unilaterally picked this number because in the gentleman's opinion, it coincides with the budgetary glidepath necessary to balance the budget.

□ 1700

Mr. WALKER. Mr. Chairman, again, if the gentleman would yield, I did not arbitrarily pick a number. I took exactly the numbers that the committee has approved for 1996. I took the numbers that the committee reported for 1996 and put them in 1997, and so it is no arbitrary number.

Mr. BROWN of California. That was not my contention, that the gentleman has not picked the number that we approved for 1996. My contention is the committee never approved it for 1997.

Mr. DOYLE. Mr. Chairman, will the gentleman yield?

Mr. BROWN of California. I yield to the gentleman from Pennsylvania.

Mr. DOYLE. Mr. Chairman, I think that this is the point I am trying to make and I would make to every Member of this body. We, as a Science Committee, have not met to discuss authorization levels for 1997. We are going to abdicate that today by taking the 1996 numbers and say, "Let's use them for the 1997 numbers." Now, we may well

end up there when we sit as a committee and decide authorization levels, but we ought not to do it today. I would like to do it in committee.

The CHAIRMAN. The time of the gentleman from California [Mr. BROWN] has expired.

(By unanimous consent, Mr. BROWN of California was allowed to proceed for 2 additional minutes.)

Mr. BROWN of California. Mr. Chairman, I continue to yield to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Chairman, I would say to the gentleman that we have an open-rule process. The gentleman was going to bring his own version of reality to the floor. As chairman of the committee, I am not precluded from bringing my own amendment to the floor, and that is exactly what I have done. I have brought an amendment to the floor. The House can accept it or reject it.

Mr. Chairman, the amendment I brought happens to be consistent with what the committee already agreed to do in 1996, but under the open-rule process I would tell the gentleman this is something that I am perfectly allowed to do.

Mr. BROWN of California. The gentleman, if he will allow me to reclaim my time, I have never contended that he was not allowed to do that. He can project an amendment clear through to 2000 if he wishes. I am objecting to the fact that he is purporting to represent that this has been discussed in the committee and that he does nothing that has not been cleared by a democratic process in the committee.

Mr. WALKER. If the gentleman would yield, I never said anything of the kind. I said that this was approved by the committee as 1996 numbers. I never contended that I brought this matter before the committee. I brought it to the floor as my own amendment.

Mr. BROWN of California. Let us agree that we have a slight misunderstanding then.

Mr. DOYLE. Mr. Chairman, will the gentleman yield?

Mr. BROWN of California. I yield to the gentleman from Pennsylvania.

Mr. DOYLE. Mr. Chairman, I would just ask the gentleman that, if we approve his amendment today, would he consider all members of the Committee on Science, those that vote for his amendment this evening, would sort of be honor-bound to stick to those authorization levels when we meet as a committee and discuss 1997 authorizations?

I am asking a question, if the gentleman would like to respond.

Mr. WALKER. Mr. Chairman, will the gentleman yield?

Mr. BROWN of California. I yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Chairman, Members obviously do whatever they want to do. As my colleagues know, some days they vote one way, some days they vote another way. Members can

make their decisions at a particular time. I would think that, if the people vote in a particular way today, and they have changed their minds tomorrow, that the voters might have a problem with that, but the fact is the Members can do whatever they want.

Mr. DOYLE. So we will not have to meet as a committee then. We will just authorize 1997 tonight and the Committee on Science does not have to have any more authorization meetings.

Mr. Chairman, I just do not think that is a good way to do business.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. DOYLE] as a substitute for the amendment offered by the gentleman from Pennsylvania [Mr. WALKER].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. DOYLE. Mr. Chairman, I object to the vote on the ground a quorum is not present and make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present.

Members will record their presence by electronic device.

Pursuant to the provisions of clause 2 of rule XXIII the Chair will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the pending question following this quorum call. Members will record their presence by electronic device.

The call was taken by electronic device.

The following Members responded to their name:

[Roll No. 705]

Abercrombie
Ackerman
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bateman
Becerra
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Bileley
Blute
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)

Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Carr
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clayton
Clement
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Combest
Conyers
Coolley
Costello
Cox
Coyne
Cramer
Crane
Crapo
Creameans
Cubin
Cunningham
Danner

Davis
de la Garza
Deal
DeFazio
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Doolittle
Doyle
Dreier
Duncan
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fields (TX)
Filner
Flake
Flanagan
Foglietta
Foley
Forbes
Ford

Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
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Funderburk
Furse
Gallegly
Ganske
Gejdenson
Geren
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
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Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
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Harman
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Hastings (FL)
Hastings (WA)
Hayes
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Hoyer
Hutchinson
Hyde
Inglis
Jackson-Lee
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
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Kelly
Kennedy (MA)
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Kildee
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Klink
Klug
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LaFalce
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Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Lincoln

Linder
Lipinski
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Maloney
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Manzullo
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCollum
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McDade
McDermott
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Meehan
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Menendez
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Miller (CA)
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Morella
Murtha
Myers
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Oliver
Ortiz
Orton
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Rangel
Reed
Regula
Richardson
Riggs
Rivers
Roemer
Rogers
Rohrabacher

Ros-Lehtinen
Rose
Roth
Roukema
Roybal-Allard
Royce
Rush
Salmon
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schroeder
Schumer
Scott
Seastrand
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Stockman
Stokes
Studds
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torres
Towns
Traficant
Upton
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Waters
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Williams
Wilson
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zimmer

□ 1724

The CHAIRMAN. Four hundred Members have answered to their name, a quorum is present, and the Committee will resume its business.

RECORDED VOTE

The CHAIRMAN. The pending business is the demand of the gentleman from Pennsylvania [Mr. DOYLE] for a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. Pursuant to clause 2(c) of rule XXIII, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the underlying amendment offered by the gentleman from Pennsylvania [Mr. WALKER].

The vote was taken by electronic device, and there were—ayes 173, noes 245, not voting 14, as follows:

[Roll No. 706]

AYES—173

Abercrombie	Frank (MA)	Neal
Bachus	Frost	Ney
Baesler	Furse	Oberstar
Baldacci	Gejdenson	Olver
Barcia	Gephardt	Ortiz
Barrett (WI)	Geren	Orton
Becerra	Gibbons	Pallone
Beilenson	Gillmor	Pastor
Bentsen	Gonzalez	Payne (NJ)
Berman	Gordon	Payne (VA)
Bevill	Green	Pelosi
Bishop	Gutierrez	Peterson (FL)
Bonior	Hall (TX)	Pomeroy
Borski	Hamilton	Poshard
Boucher	Hastings (FL)	Rahall
Brewster	Hayes	Rangel
Browder	Hefner	Regula
Brown (CA)	Hilliard	Richardson
Brown (FL)	Hinchey	Rivers
Brown (OH)	Holden	Roemer
Bryant (TX)	Hoyer	Rose
Cardin	Jackson-Lee	Rush
Clayton	Jefferson	Sabo
Clement	Johnson (SD)	Sanders
Clyburn	Johnson, E. B.	Sawyer
Coble	Johnston	Schroeder
Coburn	Kanjorski	Scott
Coleman	Kaptur	Serrano
Collins (IL)	Kennedy (MA)	Skaggs
Collins (MI)	Kennedy (RI)	Skelton
Costello	Kildee	Slaughter
Coyne	Klecicka	Spratt
Cramer	Klink	Stenholm
Danner	LaFalce	Stokes
de la Garza	Lantos	Studds
DeFazio	Levin	Stupak
DeLauro	Lewis (GA)	Tanner
Dellums	Lincoln	Thompson
Deutsch	Lipinski	Thornton
Dicks	Lofgren	Thurman
Dingell	Maloney	Torres
Dixon	Manton	Torricelli
Doggett	Markey	Towns
Dooley	Mascara	Velazquez
Doyle	Matsui	Visclosky
Durbin	McCarthy	Volkmer
Edwards	McDermott	Wamp
Engel	McHale	Ward
Eshoo	McKinney	Waters
Evans	Meek	Watt (NC)
Farr	Menendez	Waxman
Fattah	Mfume	Williams
Fazio	Miller (CA)	Wise
Filner	Mink	Woolsey
Flake	Mollohan	Wyden
Foglietta	Montgomery	Wynn
Ford	Moran	Yates
Fox	Murtha	

NOES—245

Ackerman	Bilbray	Buyer
Allard	Bilirakis	Callahan
Andrews	Bliley	Calvert
Archer	Blute	Camp
Army	Boehlert	Canady
Baker (CA)	Boehner	Castle
Baker (LA)	Bonilla	Chabot
Ballenger	Bono	Chambliss
Barr	Brownback	Chenoweth
Barrett (NE)	Bryant (TN)	Christensen
Bartlett	Bunn	Chrysler
Barton	Bunning	Clinger
Bateman	Burr	Collins (GA)
Bereuter	Burton	Combest

Conyers	Johnson (CT)	Quinn
Cooley	Johnson, Sam	Radanovich
Cox	Jones	Ramstad
Crane	Kasich	Reed
Crapo	Kelly	Riggs
Creameans	Kim	Roberts
Cubin	King	Rogers
Cunningham	Kingston	Rohrabacher
Davis	Klug	Ros-Lehtinen
Deal	Knollenberg	Roth
DeLay	Kolbe	Roukema
Diaz-Balart	LaHood	Roybal-Allard
Dickey	Largent	Royce
Doolittle	Latham	Salmon
Dreier	LaTourette	Sanford
Dunn	Laughlin	Saxton
Ehlers	Lazio	Scarborough
Ehrlich	Leach	Schaefer
Emerson	Lewis (CA)	Schiff
English	Lewis (KY)	Schumer
Ensign	Lightfoot	Seastrand
Everett	Linder	Sensenbrenner
Ewing	Livingston	Shadegg
Fawell	LoBiondo	Shaw
Fields (TX)	Longley	Shays
Flanagan	Lowey	Shuster
Foley	Lucas	Sisisky
Forbes	Luther	Skeen
Fowler	Manzullo	Smith (MI)
Franks (CT)	Martinez	Smith (NJ)
Franks (NJ)	Martini	Smith (TX)
Frelinghuysen	McCollum	Smith (WA)
Frisa	McCrery	Solomon
Funderburk	McDade	Souder
Galleghy	McHugh	Spence
Ganske	McInnis	Stark
Gekas	McIntosh	Stearns
Gilchrest	McKeon	Stockman
Gilman	McNulty	Stump
Goodlatte	Meehan	Talent
Goodling	Metcalfe	Tate
Goss	Meyers	Tauzin
Graham	Mica	Taylor (MS)
Greenwood	Miller (FL)	Taylor (NC)
Gunderson	Minge	Thomas
Gutknecht	Molinari	Thornberry
Hall (OH)	Moorhead	Tiahrt
Hancock	Morella	Torkildsen
Hansen	Myers	Traficant
Harman	Myrick	Upton
Hastert	Nadler	Vento
Hastings (WA)	Nethercutt	Vucanovich
Hayworth	Neumann	Waldholtz
Hefley	Norwood	Walker
Heineman	Nussle	Walsh
Herger	Obey	Watts (OK)
Hilleary	Oxley	Weldon (FL)
Hobson	Packard	Weldon (PA)
Hoekstra	Parker	Weller
Hoke	Paxon	White
Horn	Peterson (MN)	Whitfield
Hostettler	Petri	Wicker
Houghton	Pickett	Wilson
Hutchinson	Pombo	Wolf
Hyde	Porter	Young (AK)
Inglis	Portman	Young (FL)
Istook	Pryce	Zimmer
Jacobs	Quillen	

NOT VOTING—14

Bass	Duncan	Owens
Chapman	Fields (LA)	Tejeda
Clay	Hunter	Tucker
Condit	Kennelly	Zeliff
Dornan	Moakley	

□ 1733

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. WALKER].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. KLUG

Mr. KLUG. Mr. Chairman, I offer an amendment.

PARLIAMENTARY INQUIRY

Mr. BROWN of California. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BROWN of California. Mr. Chairman, first of all, I cannot hear the Chairman.

The CHAIRMAN. The gentleman is correct. The committee will be in order.

Mr. BROWN of California. Second, Mr. Chairman, I was on my feet seeking recognition to call for a roll call vote, as was the gentleman from Pennsylvania [Mr. DOYLE] on the last vote and we were not recognized, primarily because of the disorder in the House, I believe.

The CHAIRMAN. The Chair looked at both sides of the aisle for Members seeking recognition and did not see any Member seeking recognition, so I moved to the gentleman from Wisconsin [Mr. KLUG].

Mr. BROWN of California. The Chair did not see me seeking recognition?

The CHAIRMAN. The Chair did not.

Mr. BROWN of California. Nor the gentleman from Pennsylvania [Mr. DOYLE].

The CHAIRMAN. The Chair did not see the gentleman from California nor the gentleman from Pennsylvania seeking recognition.

Mr. BROWN of California. For the RECORD I would like to state that I was seeking recognition, as was the gentleman from Pennsylvania [Mr. DOYLE].

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. Klug:
Page 104, after line 5, insert the following new section:

SEC. 313. PRIVATIZATION OF DOE LABORATORIES.

(a) SALE OF LABORATORIES.—Within 30 days after the date of the enactment of this Act, the Secretary of Energy shall publish in the Commerce Business Daily a request for proposals to sell all Department of Energy laboratories other than Los Alamos National Laboratory, Sandia National Laboratories, and Lawrence Livermore National Laboratory. The Secretary shall coordinate the process of review of such proposals, and shall oversee the transfer of such operations to the private sector.

(b) REPORT ON DISPOSITION.—If no offer to purchase property under this section is received within an 18-month period after a request for proposals is published in the Commerce Business Daily, the Secretary shall submit a report to the Congress containing recommendations on the appropriate disposition of the property and functions of such laboratories.

(c) PRIVATIZATION OF LAWRENCE LIVERMORE NATIONAL LABORATORY.—(1) Within 30 days after the date of the enactment of this Act, the Secretary of Energy shall begin the process of transferring national security and defense-related research from Lawrence Livermore National Laboratory to Los Alamos National Laboratory.

(2) Within 18 months after the date of the enactment of this Act, the Secretary of Energy shall publish in the Commerce Business Daily a request for proposals to sell Lawrence Livermore National Laboratory. The Secretary shall coordinate the process of review of such proposals, and shall oversee the transfer of such operations to the private sector.

(3) If no offer to purchase property under paragraph (2) is received within an 18-month

period after a request for proposals is published in the Commerce Business Daily, the Secretary shall submit a report to the Congress containing recommendations on the appropriate disposition of the property and remaining functions of Lawrence Livermore National Laboratory.

(d) CONTRACTING AUTHORITY.—Notwithstanding any other provision of law, the Secretary is authorized, to the extent provided in advance in appropriations Acts, to enter into contracts for research functions performed by the laboratories described in this section prior to their privatization. Contract authority for such research for any fiscal year shall not exceed levels appropriated for those research functions for fiscal year 1995.

Page 3, after the item in the table of contents relating to section 312, inserting the following:

Sec. 313. Privatization of DOE laboratories.

Mr. KLUG (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was not objection.

Mr. KLUG. Mr. Chairman, the Department of Energy maintains 10 major laboratories and 18 minor laboratories with a joint annual budget of approximately \$6 billion and a payroll of more than 50,000 employees. Earlier this year we received a critical report done and headed by Bob Galvin, the former Chairman of Motorola and the so-called Galvin Report which took a close look at the future of Department of Energy labs across the country.

Mr. Chairman, earlier this afternoon we had an opportunity in this Chamber in an amendment offered by the gentleman from New Mexico [Mr. RICHARDSON] to cut the DOE laboratory budget by 15 percent, and then in an amendment by the gentleman from Indiana [Mr. ROEMER] we had an opportunity to cut the DOE budget by 30 percent. We unfortunately failed in both of those efforts.

We have talked for some time in this Chamber, over the last several months in particular, led by the freshmen with the idea of dismantling the Department of Energy. Mr. Chairman, about 30 percent of the Department of Energy staff runs and operates something called the Power Marketing Administration, which is a collection of 130 dams across the country. Nearly another 40 percent of the Department of Energy staff works in running and operating and managing those 10 Department of Energy labs with a budget of \$6 billion.

This amendment, based on testimony we heard in the Committee on Commerce earlier this summer, recommends that we dramatically move above and beyond the Galvin Commission recommendation and essentially says, within 30 days after the date of the enactment of this act, the Secretary of Energy shall publish in the Commerce Business Daily requests for proposals to sell all Department of Energy laboratories except Los Alamos,

Sandia and Lawrence Livermore National Laboratories.

The reason we need to do this, Mr. Chairman, quite frankly is, as we discussed earlier today in the deliberations to cut the Department of Energy lab budget, was the fact that many of these labs no longer have a mission. For example, the mission of Lawrence Livermore 40 years ago was to do 90 percent of its research on nuclear power research. Today we find ourselves with that same laboratory doing less than 40 percent of its research on nuclear defense research connected to the national defense of this country.

Now, Mr. Chairman, I note that there are a number of my colleagues here who will say you cannot move to privatization even though that is what the Galvin Commission recommended very strongly. But let me suggest that across the world, other countries have attempted to do that, and frankly, with a great deal of success.

In Britain, for example, the British Maritime Laboratory devoted to research and design on ship design and maritime structures was successfully privatized nearly 10 years ago. The National Engineering Laboratory in Great Britain, with a staff of 400 people dealing with the engineering of large structures such as oil rigs, was sold to a number of private investment firms just last year. The national physical lab, which does the primary meteorology research for the British government, was sold to a consortium of bidders including Labour University. The Transport Research Laboratory was put up for sale as of August 31 of this year, and that deal will close at the end of 1995, and the AAE Technology Research Laboratory, which does most of the nuclear research for the British government, is going to be put up for sale in April of next year, although it is not clear whether it will be sold to a private firm or corporatized.

□ 1745

I know this will send shudders to a number of my colleagues who represent these laboratories and represent the employees. But with a mission I think largely now unfocused at the end of the cold war, with dedicating three very specific laboratories across the country to doing national security work, and with moving to privatize the other seven laboratories, I think we have managed to preserve that infrastructure but get those employees off the public payroll and allow them to do what they are beginning to do anyway, which is to move away from the kind of classic nuclear research, defense industry program that these laboratories have been engaged in for years and instead shift to a number of industrial technology research programs which those labs have embraced as a new way to define their mission into the future, now that the defense programs have all been evaporated underneath them.

In that case they can do research on energy, they can do research on envi-

ronmental technology, on advanced technology for manufacturing. I think those are all appropriate missions, but I would suggest to my colleagues those are missions better served in the private sector rather than in seven government laboratories largely constructed and funded and developed over the years to do arms research for the United States military.

Mr. Chairman, I realize this is a bold move, but it is a move I think frankly that many of my colleagues in the Committee on Commerce endorsed. It is based on a hearing we had in the Committee on Commerce earlier this year.

I would like to close, if I might, with a quote from a colleague of mine on the CATO Institute who pointed out to say: "The principal organizational recommendation of this task force, the Galvin Commission, is that the laboratories be as close to corporatized as is imaginable. We are convinced that simply fine-tuning a policy or a mission, a project or certain administrative functions, will produce minimal benefits at best."

If colleagues are serious about cutting back on the \$6 billion we now devote to the Department of Energy facilities, if we are serious about moving away from a cold war mission, and if we are serious about preserving those laboratories but doing it without taxpayer subsidies which can no longer be justified, I would urge my colleagues to support this amendment to move toward the sale and the privatization of 7 of the 10 DOE labs.

Mr. DEFAZIO. Mr. Chairman, I move to strike the last word.

I have a question for the maker of the amendment. If he would, I would like to know the comparative budgets. You have excluded Los Alamos, Sandia, and Lawrence Livermore. What is their budget compared to the total budgets of those which you would sell?

Mr. KLUG. If the gentleman will yield, I am looking at staffers to try to determine that. I cannot tell you. But the reason we focused on those three primary labs is because they are still dedicated and devoted to national security purposes. That is the core principal for the original organization of the DOE labs. As the Galvin Commission pointed out, those other seven labs have poorly defined missions at this point, and that is why we zeroed in on those for the privatization efforts.

Mr. DEFAZIO. Reclaiming my time, I hope before the end of this debate we can get those numbers. I think that the serious money in the Department of Energy, if you look at the Department of Energy budget, it is not any more dedicated to energy independence and conservation of resources in this country. It is dedicated only to nuclear weapons production against a lot of enemies that no longer exist. These three labs get the lion's share of the money.

Things that would make America truly competitive in the next century, like solar energy research, research conservation, we are gutting and doing away with. During the Reagan years,

we sold all of our solar energy division here in Washington, DC. We privatized it. You know who bought it? Siemens, the Germans. Now what? They are the world's leader in solar energy technology. The United States is far, far behind.

So we are going to unilaterally disarm, that is, give up any research that makes America more competitive in the international energy markets, international energy wars, but we are going to keep on building hydrogen bombs that we do not need when we have already got 10,000 of them. So the gentleman here, it looks good on the surface, but I wish the gentleman would do away with the obsolete nuclear weapons laboratories, ones that are building hydrogen bombs, and save the real money as opposed to picking on the things that have a real product, research for the civilian sector, research that makes this country more competitive in the international marketplace. It is an ill-intentioned amendment from that direction since it does not go after the big bucks.

Mr. ROHRABACHER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in reluctant opposition to this amendment. I am the chairman of the subcommittee that would have dealt with this bill had this bill been submitted in the proper way. The fact is that I am very sympathetic with the goal that the gentleman from Wisconsin [Mr. KLUG] has in mind here. Had we had a chance to look at it and to examine the issues and examine the figures and the facts, I might be standing today in partnership with the gentleman from Wisconsin [Mr. KLUG] in support of this amendment. But we do not know. In fact, there were hearings on various bills that were aimed at privatizing laboratories or reforming the laboratory system and the bill of the gentleman from Wisconsin [Mr. KLUG] was not included because it was not submitted to us. Thus for all we know, there could be some unintended consequences that we have not looked at.

So whereas I am always open-minded to try to find ways of privatizing government services and seeing how we can do this, I would have to be in opposition to this particular amendment at this time. I would hope that the gentleman from Wisconsin [Mr. KLUG], if this loses in a vote on the floor, would not give up but instead resubmit this and submit to the committee and I would be very happy to bring this up at the earliest possible time.

Mr. KLUG. Mr. Chairman, will the gentleman yield?

Mr. ROHRABACHER. I yield to the gentleman from Wisconsin.

Mr. KLUG. I want to thank my colleague from California for his willingness to work on this. I think it is the intention of both members of the Committee on Science and also the Committee on Commerce to get to that point in serious discussions next year.

To answer briefly my colleague from Oregon, if I might, of the \$6 billion programmed for the national energy laboratories, roughly \$2.5 billion still goes to nuclear weapons research. The balance is spread among a wide array of programs. But again I think what we need to do is to figure out as we talked about on privatizing other areas, that what we should do is figure out a way to move these forward, allow the Secretary to develop individual strategies perhaps to corporatize some and privatize others and to see quite frankly what interest is out there in the private sector because I am convinced these are a national treasure that we can preserve, be run and operated by the private sector and at the same time preserve the technology for important science and technology programs.

Mr. ROHRABACHER. Reclaiming my time, I would just say that I agree with that goal. I agree totally with that goal and that may well be achievable. I would like to try to proceed and to study that issue and let people on both sides of the aisle have their say and examine it as it should be examined. In terms of the amount of money spent on energy research, let me just say, to correct my friend, this bill is about \$6.5 billion of non-defense energy and environmental research. That is what this is about. So I do not think that that is low-balling this issue. I believe that \$6.5 billion spent by the Federal Government on energy and environmental research is a good sum of money. Our job is to make sure it is spent properly. Some people may want to spend more money, but we should at the very least prioritize and make sure that the very most effective and promising sources of energy and environmental technology are funded. That is what this is all about, when we are trying to balance the budget, to find that particular project, rather than funding all the projects or cutting all the projects by 10 or 20 percent, find those projects that are most promising and fund those and come up with creative ideas like we just have.

Mr. BAKER of California. Mr. Chairman, will the gentleman yield?

Mr. ROHRABACHER. I yield to the gentleman from California.

Mr. BAKER of California. Let me just speak in behalf of our national treasures that we are cutting. The Livermore and Sandia labs and the other labs in New Mexico as well as California are cutting. This year the laboratory in my district, Livermore Lab, is cutting \$46.4 million. That is a lot of jobs, a lot of scientists, a lot of science.

Are we afraid of the future? Are we afraid of looking forward and saying, is there an alternative to burning coal and burning oil? Do we need nuclear fusion? Without the national ignition facility which has just been proposed by the Energy Department, Livermore was selected as the site because of their laser capability. Without it, we are going to have to go back to nuclear

testing. France is fighting that battle now and losing. We are not going to do that.

The national ignition facility allows us to keep our stockpile fresh. It also allows us to keep our stockpile fresh. It also allows us to study nuclear power. We are not afraid of the future. We are going to manage our \$6 billion and we are going to downsize the laboratories because the need for nuclear defensive laboratories is waning. But we want to be prepared for China, we want to be prepared for the next empire and the laboratories are doing that for us.

Ms. LOFGREN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I oppose the amendment and I would like to say just a couple of things about why. I do not have a national lab in my district, but I have a very great interest in the national labs because, like other Americans, I believe that science and research really holds the key to our economic future as a country.

I think it is important to outline what the Galvin report did say and did not say. The Galvin report never said to put our national labs up for sale. In fact, when Mr. Galvin testified before the Committee on Science, that question was posed to him. He said that that was not a good idea, that it was impossible to imagine who would have the money to bid on these labs.

What the Galvin report suggested was a different type of management structure for the labs. Actually it is an issue that I think, as the gentleman from California [Mr. ROHRABACHER] has said, deserves additional analysis and study. I for one believe it is something that we ought to explore, but never once did Mr. Galvin suggest that the national labs go outside of the ownership of the Federal Government. I think the concept of selling the national jewels is one that ought to be rejected.

Finally, I would like to note that the complex arrangement of some of these labs, for example, the linear accelerator at Stanford University is not readily susceptible to a bid as is suggested in the amendment. I would say in closing that the only people who have lobbied me to eliminate our investment in the labs are foreign companies. Our economic competitors have lobbied me to cut the labs. No one else in America has.

Mr. BARTLETT of Maryland. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to the gentleman from Michigan [Mr. CHRYSLER].

Mr. CHRYSLER. Mr. Chairman, I rise in support of the Klug amendment to privatize the Department of Energy laboratories. Congressman KLUG's amendment would privatize the DOE laboratories, encouraging private sector innovation and competitiveness, much like we did in the dismantling of the Department of Commerce act, H.R. 1756.

By privatizing the laboratory functions of the DOE, we will encourage these newly privatized entities to produce and sell their services more widely. By removing the nonessential research and development functions and the means of production from the Federal Government labs, we will now produce on the basis of demand, and in turn spin off other industries, creating jobs and providing increased revenues for the Nation.

Speaking from firsthand experience, the private sector entities have always proved to be more efficient and accountable, and if they are not, they would go out of business. Federal programs, on the other hand, such as the DOE labs, are simply not held to the degree of accountability that private sector labs are. Instead of going out of business, as would be the case in the private sector, Congress merely passes the cost on to the taxpayers.

Mr. BARTLETT of Maryland. Mr. Chairman, reclaiming my time, I think that the spirit of this amendment is supported by many people on both sides of the aisle. That spirit is that we really need to look at these national labs because some of their missions have changed. We are in a post-cold-war era. That does not mean that we are in a really safe world. I am not sure this is the best way to approach that problem, but I wanted to take just a moment to focus on one of the things that our labs are doing which I think is very important for our future.

Mr. Chairman, first I want to commend my committee chairman, Mr. WALKER, for this sensible approach to consolidating U.S. civilian science research and development programs into an omnibus bill. I believe that this approach elevates civilian science R&D and its contribution to our national security.

It is a sound precedent for prioritizing national science programs.

As we consider H.R. 2405 and our priorities in science policy, I urge my colleagues to reflect of the importance of these science programs.

I am particularly interested in alternative energy research programs. Just as it is irresponsible to saddle our children with the national debt we have created, it is irresponsible for this Nation not to develop clean, safe alternative energy sources for future generations.

Harnessing fusion power is the most challenging and ambitious scientific endeavor ever undertaken by man. Not only is fusion one of very few long-term energy options for the future but it is at the cutting edge of scientific research and technology. This country must not lose sight of the importance of scientific research, especially research that has such a tremendous payoff.

Steady progress continues in demonstrating the scientific and technological feasibility of magnetic fusion power as a viable long-term energy supply system. I realize that all pro-

grams must be tailored to more closely meet today's budgetary constraints, and this bill does not responsibly.

However with additional funding cuts we would forfeit our ability to develop a technology that holds great promise for our Nation's economic and environmental future.

I thank my colleagues on the Science Committee for their attention to alternative energy research and urge support for the civilian science programs in H.R. 2405.

□ 1800

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. KLUG].

The amendment was rejected.

AMENDMENT OFFERED BY MS. FURSE

Ms. FURSE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. FURSE:
Page 94, strike line 6.

Ms. FURSE. Mr. Chairman, I rise today to offer an amendment to strike a very punitive provision in this bill. That provision would eliminate last year's funding for a vital program in Oregon. This program has just begun. It is relying on a grant from the Department of Energy.

Mr. Chairman, I want to take just a few minutes to describe this program so that the Members will know exactly what it is that is being terminated. The Biomedical Information Communication Center is the backbone of Oregon health sciences rural network. This network provides information, education, and diagnostic services to health care providers and citizens throughout the State of Oregon. Through its innovative, 21st century information system, student practitioners can be educated and trained on the spot in their hometown communities. This allows isolated towns to retain health personnel in their area. Rural doctors are able to obtain information on the latest research in medical techniques via the network.

For example, if there were an injured logger in a rural, remote area, his x-rays can be transmitted electronically so that doctors hundreds of miles away can treat the patient. At a time when we are celebrating the many potential benefits of the information superhighway and are exploring ways to upgrade health and medical services to rural populations, this communications center will put innovative ideas into practice.

Mr. Chairman, a 1-year grant was approved by the Department of Energy to pay for the cost of completing the infrastructure of the network and to provide the staff and services. The Biomedical Information Communications Center opened September 15, relying on the grant, and personnel and programs are in place for the entire next year, based on a commitment of last year's appropriation. If, at this eleventh hour, the Congress were to pull the rug from under this important project, the jobs

of more than 100 people would be in jeopardy and, even more important, thousands of people throughout the State would be denied the most up-to-date health care information far from its cities.

It makes no economic nor common sense whatsoever to terminate the Biomedical Information Communications Center in this bill. It is fundamentally unfair for Congress to renege on commitments it has already made.

I urge my colleagues to support rural health care, sound health science, and vote "yes" for this amendment so that we can fix the punitive provision in the bill.

Mr. WALKER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the language is in the bill for a very specific reason. One of the most disturbing processes that characterized Congresses of the past was the fact that we had a lot of earmarked science, money that showed up out of nowhere in conference committees that just suddenly appeared as spending that we ought to be doing because somebody thought it was a good thing. There was never peer review, never showed up on the House floor or Senate floor for debate. It just emerged out of a conference committee out of nowhere and so on, a specific earmark for a specific university or for a specific program.

So what we have decided to do is try to eliminate some of those programs and say to them, "Compete with the rest of us." If this program is as good as the gentlewoman tells us it is, it ought to be very competitive. It ought to be able to go in and offer its credentials with everybody else, be peer reviewed by people who have knowledge about the programs and survive and be funded. They did not want to do that. They did an end run, got somebody to offer an earmark, got somebody to practice a little pork-barreling for them and throw it in the bill.

What we are going to do is we are going to stop that practice. Where we have projects that are on the dole because of some earmark along the way, we are going to divest them. We are not making a judgment about those programs. We are saying about those programs they ought to come in and compete in the regular process, and we would be perfectly happy to have Oregon or Nebraska or wherever get their money through the good old traditional way of actually competing fairly.

But this outrage that the American people's tax money gets spent simply because somebody sits in a committee somewhere and sneaks it in in the dark of night has got to stop. This is a ridiculous way to do science.

We are spending vast amounts of science money in this country going for earmarked pork-barrel projects. We cannot afford it. The science of this country is too important to have it being run that way, and so when this amendment is offered to knock out

that provision, what this amendment is is that this is a propork, proearmark amendment. This simply says, "Keep it. We got it, it is all ours," and so on, "and now we ought to keep it. It does not matter how we got it. If we got it unfairly, if we stuck it in in the dark of night, keep it, it is fine." I think the American people are telling us they want the Government run more effectively and they want to make certain the moneys we spend have been properly evaluated.

These projects, good as they might be, were not properly evaluated, and we thought they ought to be cut out. So we included in our bill a cut of some of these programs that showed up as earmarks in the past.

I would say to my colleagues, I think we ought to oppose this amendment. It is a terrible way to spend the taxpayers' money when what happens is powerful people in the Congress are able to earmark things without being properly reviewed, and it seems to me that this is a good chance to strike an anti earmarking blow once and for all.

Mr. BARRETT of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from Wisconsin.

Mr. BARRETT of Wisconsin. Mr. Chairman, I agree with the gentleman's sentiment about getting rid of pork-barrel projects. It rings hollow with me when I think back to the debate we had on this floor about hydrogen research, which, as I recall, had a 50-percent increase, the bulk of which went to a plant close to or in the gentleman's district.

Mr. WALKER. The gentleman is making an accusation, which I think is against the rules of the House. The gentleman is absolutely wrong in both his facts and what we believe was done. I have supported hydrogen research for a long time. The gentleman is making an outrageous claim here. I brought it to the floor. I did not sneak it in in the dead of night somewhere. I brought up to the floor as part of a bill because it is the right thing to do.

I have no plant in my district. I have no plant close to my district. The fact is the money in that program went to Texas. If the gentleman thinks I am from Texas, maybe he ought to go check his Members' handbook and find out the real facts.

Mr. BARRETT of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from Wisconsin.

Mr. BARRETT of Wisconsin. I did not say you sneaked it in in the middle of the night. I said it had a 50-percent increase.

Mr. WALKER. It is entirely legitimate. There are increases in this bill as well. We increase a number of places for science. Does the gentleman not want to increase priority science? Does the gentleman not believe doing hydrogen research is, in fact, the right kind of thing to do for our energy future? Maybe the gentleman is against doing

good science. The gentleman can be a total antisience person on this floor. He can do that. That is fine.

Mr. BARRETT of Wisconsin. If the gentleman will yield further, I stand by my statement that my understanding is there is considerable hydrogen research done in the State of Pennsylvania. Maybe I am wrong. But I think that that is something—

Mr. WALKER. I would hope that Pennsylvania and a number of other States are doing hydrogen research. The gentleman is absolutely correct in his assumption here.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. WALKER] has expired.

(By unanimous consent, Mr. WALKER was allowed to proceed for 2 additional minutes.)

Mr. WALKER. The gentleman is making an accusation here as though I brought a pork-barrel item to the floor myself. I did nothing of the kind. The gentleman will find nothing in my district that got any of that money, and the gentleman will find that the bulk of the hydrogen money goes to States far outside.

I just think it is outrageous for the gentleman to raise the level, because I tell you what happened on this program, if the gentleman is up to defending this program, it was sneaked into a conference report. There was no debate on it on the House floor, no debate on the Senate floor. I think the gentleman came out here and tried to cut the hydrogen money, in fact. The gentleman came out here and got his shot at cutting the hydrogen money. In fact, he could not do it, because the House recognized the gentleman simply did not want to do something that was not in the best long-term interests of the country. Having good hydrogen research is the way to do it.

Mr. BARRETT of Wisconsin. If the gentleman will yield further, again, I may vote with the gentleman on this. I think we should have some consistency. Yes, I felt hydrogen production, I correct myself, should have taken a cut just like other things. I think we should have some consistency. That should take a cut just as you go after these projects. That is what I am asking for, simply asking for consistency.

Mr. WALKER. The fact is, there is no port in any of these bills. There was no designation of Pennsylvania or any other place for the hydrogen money. It was put out on a competitive basis. Anybody who wanted to compete for it was happy to compete for it. The gentleman walks away. He does not want to hear the truth. This is what I am asking for in this kind of situation.

I think what we ought to have is a competitive process where everybody has a chance to come in and compete, and this kind of program is just an outrage, and I would hope that we would vote against this program that got the money strictly through a really pork-barrel, earmarked approach.

Mr. ROHRABACHER. Mr. Chairman, I move to strike the requisite number of words.

I think the gentleman from Wisconsin who just spoke and insinuated something about the chairman of the Committee on Science owes the chairman of the Committee of Science an apology. The insinuation was that this is some way correlates, the support of the gentleman from Pennsylvania [Mr. WALKER], of hydrogen research, in some way correlates to the, you know, what we have in front of us today, which is basically pork-barreling that has not gone, and earmarking, that has not gone through the process, and it is very clear to those of us who are on the Committee on Science that any money allocated for hydrogen research was something that went through the committee process. Everyone had a chance to debate it. Everyone had a chance to examine it, to disagree or agree with the gentleman from Pennsylvania [Mr. WALKER] about hydrogen research.

That is totally unlike what we are talking about today in this bill, where we are basically talking about something that was put in, not through the committee process, but instead has just materialized in front of us. I think that it is basically my colleague from Wisconsin, who, through this insinuation at the gentleman from Pennsylvania [Mr. WALKER] and owes him an apology. I would have to say that I have witnessed that what the gentleman from Pennsylvania [Mr. WALKER] did on the hydrogen research bill has nothing to do and is totally dissimilar and was absolutely consistent with the rules.

I would suggest that if some one is going to make those kinds of insinuations, that maybe they should study the the process and understand it a little more before they attack a senior Member, as such.

□ 1815

Mr. WYDEN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to speak on behalf of the Furse amendment. I would hope for a moment we could get beyond the matter of accusations and look at a few facts.

The first is that the Oregon Health Sciences Center has cooperated with the Committee on Science at every turn. They have submitted detailed responses to committee questions with respect to earmarks. The president of the university has been available to the bipartisan leadership of the Committee on Science. The fact is that the university has cooperated in every respect with the Committee on Science.

Now, these funds have been obligated. Contracts have been let. Expenses are being met on a monthly basis with the expectation of the Department of Energy providing promised grant moneys. It now becomes simply a matter of fairness to ensure that the obligations under this contract are met.

The gentlewoman from Oregon [Ms. FURSE] has been absolutely correct in talking about the extraordinary potential of telemedicine. As our friend, the chairman of the health committee, notes, telemedicine is the medicine of the future. So this program that is being pioneered at the University of Oregon Health Sciences Center dollar for dollar is going to produce a return across this country. To consider that, after the University of Oregon Health Sciences Center has cooperated in an aboveboard fashion with the committee at every step along the way, the obligation has essentially been incurred by the Federal Government; the potential of the telemedicine is extraordinary. To then come and rupture the good work that has been done strikes me as a tragedy, not just for the country, but for the Nation.

Mr. Chairman, I would hope my colleagues on a bipartisan basis would support the excellent amendment of the gentlewoman from Oregon [Ms. FURSE]. It has implications for bringing this country together, urban and rural areas across the Nation, across our State, and I hope my colleagues will support the amendment.

Mr. ROHRABACHER. Mr. Chairman, will the gentleman yield?

Mr. WYDEN. I yield to the gentleman from California.

Mr. ROHRABACHER. Mr. Chairman, first of all, this might be a very fine program, and it probably is a very fine program, but what does this have to do with the Department of Energy?

Mr. WYDEN. Mr. Chairman, reclaiming my time, as the gentleman knows, the Department of Energy has been one of the pioneers in the research field. That is what this is all about. The Oregon Health Sciences Center is on the cutting edge of future medical technology.

Mr. ROHRABACHER. Mr. Chairman, if the gentleman will continue to yield, is this not supposed to be energy research, and not medical research?

Mr. WYDEN. Mr. Chairman, as the gentleman knows, the Department of Energy is involved in a variety of important research. Much of this interfaces between communications and health and a number of related agencies.

Mr. ROHRABACHER. This is one of the reasons why these types of requests should go through the committee and subcommittee and be presented there rather than just being basically voiced on the floor.

Mr. WYDEN. Mr. Chairman, reclaiming my time, I want to repeat again that the university has cooperated with the Committee on Science at every step. They have returned detailed responses. The university president has been available to the committee at every step along the way. The University of Oregon Health Sciences Center has cooperated.

Mr. ROHRABACHER. Mr. Chairman, if the gentleman will yield further, I am sorry the gentleman's information

is incorrect, unless my staff is incorrect. I am informed there has been no communication from the university this year, and that this was not presented to our subcommittee, nowhere along the line.

If this is such an important project and this is so justifiable, why was not an amendment presented to us at the subcommittee so we could go through the procedures and it could be talked out, so people up and down through the system would have their chance to have a say and to vote on this? Why do we have to have it just appear all of a sudden on the floor at the last minute?

Mr. BROWN of California. Mr. Chairman, will the gentleman yield?

Mr. WYDEN. I yield to the gentleman from California.

Mr. BROWN of California. With regard to the point that the distinguished subcommittee chairman raises, the gentleman is correct in stating on the basis of the information from his staff that there has been no interaction this year. On the other hand, the gentleman from Oregon [Mr. WYDEN] is absolutely correct; there were extensive discussions during the last Congress when I was chairman of the committee.

The gentleman may recall that we threatened to subpoena the earmarked institutions and bring them into Washington. The University of Oregon voluntarily came in and sent their president of the institution, and there were discussions. I will speak a little bit later about my attitude about earmarks, but the gentleman is correct that the cooperation was extended, the programs were fully explained, and they are among the best in the world.

Mr. ROHRABACHER. Mr. Chairman, if the gentleman will continue to yield, that is last year. They had a different Congress than.

Mr. DEFAZIO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment. Were it so that this bill has been scrubbed so clean. It seems out of a number of earmarks, that it would have been chosen for some reason. Now, was this particular earmark chosen to be eliminated because it lacks merit? I think not.

What we are talking about here goes to some of the essential themes before this Congress. It is about health care in America. It is about providing more efficient health care. It is about saving lives for fewer dollars. That is what this project would do.

I represent a district that is the 45th largest district in the U.S. Congress. Many people in my district live a couple hours away from the nearest hospital. We have a lot of rural clinics. Those rural clinics will be tied in by this system, which is developing a model for rural medicine across America, so that when Blue River, OR, has a nurse-practitioner and there is a serious accident and they take the x ray, they can get real-time consultation with experts up in Portland and decide

whether or not we have to dispatch a helicopter, a very expensive helicopter, on a mercy flight, or whether that person can be stabilized and transported an hour by ambulance to the nearest hospital.

Those are the sorts of decisions that will be made in an informed manner with this system. It is a system not just for the State of Oregon. Oregon is going to be the model, and it is going to set the template for the rest of the Nation, a way to provide rural health care in this country and meet our fiscal constraints.

So it is not that this program lacks merit. I would wonder what are the merits of the Florida State University earmark, the Southern earmark, the University of Vermont earmark, the earmark for A&M College Systems in Baton Rouge, LA. I think there is an important person representing that area, lives down that way. The University of Florida solar program. These are all earmarks that are still in the bill. This is not a clean bill that suddenly has achieved great virtue, although the chairman would have us believe that.

A couple of things have been chosen, for whatever reason, to be eliminated. I guess the question is, should this remain in on its merits? It saves money. Ultimately, it will save tens of millions, hundreds of millions of dollars across the country, for rural Oregonians and rural Americans. It will save lives.

The most outrageous thing about this amendment is this was funded previously. The program was begun on September 15. Funds have already been committed, people have been hired. The software is being written, the technology is contracted for. And now we are going to cut it off in midstream, because we are saying that the Senator from Oregon, MARK HATFIELD, somehow no one knew what the chairman of the Committee on Appropriations was doing, that he snuck this in in the dark of the night. As Members heard from the former chairman of the committee, Portland State, the Oregon Health Sciences Center came forward with information last year.

Mr. ROHRABACHER. Mr. Chairman, will the gentleman yield?

Mr. DEFAZIO. I yield to the gentleman from California.

Mr. ROHRABACHER. Mr. Chairman, was this item in the Senate bill? If MARK HATFIELD was so supportive of it, was it in the Senate bill? It was not in the House bill. It just sort of appeared. That really is the question. We are trying to make sure things do not just appear anymore.

The CHAIRMAN. The Chair would remind Members not to refer to Members of the Senate.

Mr. BROWN of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, at the beginning of this debate, I indicated that it really did not make too much difference what

we did with this bill, but that we could expect some interesting dialog as a result of it, and this dialog with regard to earmarking or so-called pork is a part of that.

Now, I have been involved generally in close cooperation with the gentleman from Pennsylvania [Mr. WALKER] on this issue for a number of years. We have almost always seen eye to eye in conducting a vigorous campaign to restrict the growth of earmarks which during the eighties reached the level of almost \$1 billion on appropriation bills for research and development. Not earmarks for highways and dams and things like that, but for research and development, whose essence is that it should be peer reviewed and the best should be selected.

We felt that it was a crusade that was worth conducting. We compiled annual lists of the States and, as far as we could tell, the Members of this august body who were the most successful in their practice of earmarking.

Now, amongst the list of centers, the State of Oregon ranked very high. The reasons were very simple. It had two outstanding Senators, one of whom was the ranking minority member during this period of the Committee on Appropriations, and he had no hesitancy about getting what Oregon ought to have. He was not the only one. The Senator from Louisiana, from South Carolina, other Senators, from Alaska, I do not want to pick out any particular Senators, but they, because they were members of the Committee on Appropriations, participated in the conference, got very expert at this business of trading off pork with their counterparts on the House side. It became a fine art, which the gentleman from Pennsylvania [Mr. WALKER] and I tried to stop.

Now, let me say, as I have already indicated, that the question was not necessarily the merit of the particular project. I tried wherever possible to invite these earmarked institutions to come in and defend their earmarks and, if it seemed meritorious, to assist them with getting a proper authorization.

We did that with the University of Oregon, and they were extremely cooperative. We did it with many other institutions. We did it with a fine institution up in Michigan, for example, which a former House subcommittee appropriations chairman wanted to earmark. We thought it was sufficiently meritorious to authorize it.

Our effort is to cooperate in making the systems of this Congress work effectively and to achieve the public goal. Now, it is my opinion, and I will state it very strongly, that the University of Oregon Health Sciences Center is one of the finest institutions in this country. I do not think there is any question about that. It will be a model for many other States. But it did go about securing its funding in the manner which has been described, which I was opposed to, and I sought to correct. But it was of very little avail, except

that, as I indicated, there was full cooperation from the university in helping us to understand on the committee the work that these programs do, and I am glad to assert they were extremely cooperative.

Mr. WYDEN. Mr. Chairman, will the gentleman yield?

Mr. BROWN of California. I yield to the gentleman from Oregon.

Mr. WYDEN. Mr. Chairman, I appreciate the gentleman from California yielding, because I suspect this debate is closing.

Mr. Chairman, the Furse amendment is not a referendum on earmarks. A lot of us on a bipartisan basis have reservations, as the gentleman from California [Mr. BROWN] has said, about the earmarking concept. What we are concerned about is when a university does cooperate with the bipartisan leadership of the Committee on Science, does things in an above the board way, and incurs these obligations, it is a great mistake to then in effect tear up all of that good work which has the potential to serve the country. This is not a referendum on earmarks. This is a question of fairness for a particular university that has cooperated with the Congress in a bipartisan way.

Mr. ROHRBACHER. Mr. Chairman, will the gentleman yield?

Mr. BROWN of California. I yield to the gentleman from California.

Mr. ROHRBACHER. Mr. Chairman, let me for the record state that I have deep admiration for the former chairman of the Committee on Science and in the past several years I have worked with the former chairman, the gentleman from California [Mr. BROWN], on this issue as well as on the issue about other what I consider to be some kind of violations of the Committee on Appropriations process. The gentleman has my full respect for this and other issues that we have worked side-by-side on.

The CHAIRMAN. The time of the gentleman from California [Mr. BROWN] has expired.

(By unanimous consent, Mr. BROWN of California was allowed to proceed for 2 additional minutes.)

Mr. ROHRBACHER. Mr. Chairman, this is a new Congress, and what the gentleman was describing earlier seems to indicate that this particular item was handled last year, and perhaps had there not been this change over between the Republicans and Democrats, that this might not have come up as an issue because things would have been handled, the university's request would have been handled in a different way earlier on because we would have been aware of it. As it was, the university did not communicate with us, but was in communication with the chairman and with the former leaders of the committee.

So I see where there is a breakdown of communication here, perhaps as the former chairman has indicated, with no bad thoughts or any strategy in mind, but just because of naivete did not re-

make the request. We needed the request earlier on before the subcommittee so people could have basically voted on it. By not following that procedure, that is why we have come to this conflict today.

Mr. Chairman, I do verify and respect the former chairman for all he has done in this area and appreciate the work that he has done.

The CHAIRMAN. The time of the gentleman from California [Mr. BROWN] has expired.

(By unanimous consent, Mr. BROWN of California was allowed to proceed for 2 additional minutes.)

Mr. BROWN of California. Mr. Chairman, I appreciate the gentleman's remarks and, Mr. Chairman, to complete my statement, I want to make this point. The campaign against earmarking needs to be continued and it should be on a bipartisan basis, and I would appreciate a chance to cooperate in that.

Second, the point before us is that the particular language in the bill here attempts to revoke two earmarks from last year's appropriations bill. I have said from the beginning that this bill that we are considering is not going anywhere and I will tell Members that if we strike out the money for the University of Oregon Health Sciences University, the former ranking minority member, who is now the chairman of that Committee on Appropriations, is going to take great umbrage and we will not get any consideration of getting this bill out of the Senate, which I think is probably just as well.

I am curious as to what masterful stroke of political acumen made the gentleman from California [Mr. ROHRBACHER] decide to strike out the favored project over the last 15 years of the senior Senator from Oregon who chairs the Committee on Appropriations. Could the gentleman answer that?

Mr. ROHRBACHER. Mr. Chairman, if the gentleman would yield for a response, these two projects were the only two projects that came out of this conference committee that were in neither the House bill nor the Senate bill, and that is why they were selected.

Mr. BROWN of California. Well, Mr. Chairman, the concluding point I will make is that I have looked at the bill, there are about three pages of other earmarks, as was pointed out earlier. My objection to the provisions here, and my reason for supporting the amendment of the gentlewoman from Oregon [Ms. FURSE] is that out of about 20, the gentleman has selected two, for one reason or another, and I was trying to elicit what those reasons were.

I would say, for lack of equal application of the gentleman's zeal, that we ought not to go ahead with these two.

There is a third paragraph here which is so defective that the Committee on Rules struck it out. The gentleman should have asked them to strike out these two earmarked positions as well and he would have a much better bill.

I have mixed emotions in saying this, because the bill is very bad. I hope it gets worse and that will guarantee it will not get anywhere, but I think this has been a most enlightening debate

and it has been a pleasure to participate in it with the gentleman.

Mr. BROWN of California. Mr. Chairman, I include four pages for the RECORD regarding earmarks in the

House and Senate energy and water 1995 appropriations bill.

EARMARKS IN HOUSE AND SENATE ENERGY AND WATER 1995 APPROPRIATIONS BILL

Location/section	Description	House	Senate
Corp. of Engineers, pp. H18 and S12	* * * has provided \$300,000 for the Corps of Engineers to proceed with detailed design and plans and specifications, including detailed cost estimates, for certain elements of the master plan of the multipurpose Indiana University South Bend, St. Joseph River, Indiana, project * * *. The Committee expects the Corps to continue to conduct this work in close cooperation with Indiana University South Bend.	\$300,000.00	\$300,000.00
Pp. H19 and S22	* * * has included \$300,000 for continuation of the Construction Technology Transfer Project between the Corps of Engineers research institutions and Indiana State University.	300,000.00	0
Corps of Engineers, p. S22	* * * Committee has included an additional \$2,000,000 for R&D activities related to zebra mussel control		12,000,000.00
Corp. of Engineers, Aquatic Plant Control Program, p. H28.	* * * directs that \$1,000,000 of these additional funds be used to increase the research effort at the Corps of Engineers waterways Experiment Station	1,000,000.00	1,000,000.00
Corp. of Engineers, Oil Spill Research p. S58.	* * * for cooperative research to be conducted primarily by the University of Miami, Florida.		275,000.00
Dept. of Energy/Electric Energy Systems and Storage, p. H71.	In accordance with section 7001(c)(10) of the act [Oil Pollution Act of 1990], the Committee has added \$275,000 * * * to establish cooperative agreements with research institutions located in the northern gulf coast region to conduct essential research in oilspill remediation and restoration.		
DOE/Biological & Environmental Research, pp. H72 and S85.	* * * has included \$600,000 to support the ongoing and productive research at the Florida Solar Energy Center	600,000.00	600,000.00
DOE/Biological & Environmental Research, p. S86.	* * * provides \$1,000,000 to make one grant to continue research and develop technology for commercial exploitation in the disposal of infectious hospital waste through electron beam sterilization at a public, urban teaching hospital affiliated with a comprehensive medical school and research center with an active electron beam program and documentable experience in operating a functional machine.	1,000,000.00	1,000,000.00
	* * * Committee recommends an appropriation of \$5,000,000 to assist the University of Nebraska Medical Center in the development of its transplant center		5,000,000.00
	Positron emission tomograph (PET) * * * Committee directs the Department to undertake a cooperative project to develop and test this concept in a medical setting * * * and has provided funding for this purpose.		Unspecified
DOE/Supporting Research and Technical Analysis, pp. H75 and S90.	* * * Committee has included \$5,000,000 for the second phase of the Biomedical Information Center (BIC) at the Oregon Health Sciences University		5,000,000.00
DOE/Supporting Research and Technical Analysis, p. H76.	* * * to continue the Midwest Superconductivity Consortium. The Consortium is directed to continue using a competitive review process to identify and fund university research * * *	3,200,000.00	3,700,000.00
DOE/Supporting Research and Technical Analysis, pp. H76 and S91.	* * * is supportive of the work done at Florida State University's Super Computations Research Institute * * * recommendation includes \$5,900,000 to continue the Super Computations Research Institute.	5,900,000.00	
DOE/Supporting Research and Technical Analysis, p. S90.	* * * Lawrence Berkeley Laboratory, the Ana G. Mendez Educational Foundation and Jackson State University have enjoyed a productive relationship intended to enhance computer science and scientific research at all three institutions * * * directs the Department to continue the program, and provides \$4,000,000 to maintain and support this relationship.	4,000,000.00	4,000,000.00
DOE/Supporting Research and Technical Analysis, p. S91.	* * * Committee recommendation provides \$500,000 to continue the partnership begun in 1992 with Lawrence Livermore and Sandia National Laboratories, Southern University, and other institutions of higher education to support the Louisiana systemic initiative * * * to increase representation of minorities and women in science, math technology, engineering and related disciplines.		500,000.00
DOE/Supporting Research and Technical Analysis, p. S91.	* * * urges the Department to fund nonprofit optics consortia to coordinate research and development activity between the private sector, university researchers, and the Government * * *		Unspecified
DOE/Environmental Restoration and Waste Management, p. H77.	* * * an additional \$5,000,000 under university and science education programs to establish the Center for Minorities in Science, Engineering, and Technology at existing facilities at Southern University and A&M College System in Baton Rouge, LA.		5,000,000.00
Defense Environmental Restoration and Waste Management, p. S134.	From within available funds, the Committee recommendation is to continue the support of the existing University Research Program in Robotics at the level of fiscal year 1994 of \$4,000,000.	4,000,000.00	
Cong. Record, 6/30/94, p. S8033	* * * the Department is presently considering a proposal to establish the International Center for Groundwater Remediation Design. The Center is an outgrowth of the partnership between Lawrence Livermore Lab and the University of Vermont * * *. The Committee encourages the Department to support this university/national laboratory consortia * * *		Unspecified
	* * * within funds available for hydrogen research, \$250,000 shall be made available to an institution [University of Oklahoma] where expertise in electrochemical (fuel cells), thermochemical and photochemical reactions for hydrogen production may be synergistically studied and the application to gas storage and alternate vehicle technology may be integrated.		250,000.00
Grand totals		20,300,000.00	26,625,000.00

¹ Although included on this list, Senate report provides no cue as to where research will be conducted. The \$2,000,000 for this earmark is not included in Senate grand total amount.

Note: Page references with H=House report; S=Senate report.

Mr. CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon [Ms. FURSE].

The amendment was rejected.

AMENDMENT OFFERED BY MR. KLECZKA

Mr. KLECZKA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. KLECZKA: Page 90, lines 17 through 19, strike “, including” and all that follows through “Energy Research”.

Mr. KLECZKA. Mr. Chairman, a short time ago the gentleman from Pennsylvania [Mr. WALKER], chairman of the committee, indicated that the time has come that we have to stop earmarking, and in an effort to continue the war against earmarking, this amendment does exactly that.

I direct the attention of the Members to page 90 of the authorization bill before us where we do authorize funds for various programs in the fossil fuel energy program. If the Members look down to the coal technology, up pops off the page one big fat earmark, and if I might read the portion that deals with the authorization for oil technology, it indicates an amount of \$43,234,000 for operating; however, it adds including maintaining programs of the National Institute of Petroleum and Energy Research.

Mr. Chairman, the reason I raise this point is because the House spoke a few months ago on the appropriations bill whereby a vote of 251 to 160 this earmark was deleted. My information is that the committee will accept this amendment and I will yield to the gentleman from California.

Mr. ROHRBACHER. Mr. Chairman, the committee will accept this amendment.

Mr. KLECZKA. Mr. Chairman, I yield to the gentleman from California [Mr. BROWN] and ask if he also concurs?

Mr. BROWN of California. Mr. Chairman, since it has met my ironclad test of what constitutes a good amendment, mainly satisfying the Republicans, I am happy to accept it.

Mr. KLECZKA. Mr. Chairman, I want to thank the gentleman from California [Mr. BROWN] for accepting this ironclad amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. KLECZKA].

The amendment was agreed to.

Mr. WARD. Mr. Chairman, I move to strike the last word in order to engage the gentleman from Pennsylvania [Mr. WALKER] in a colloquy.

Mr. Chairman, I appreciate the gentleman taking the time to talk with me about my concerns over report language in this bill that serves to prioritize research and development programs for the Department of En-

ergy, in particular requiring \$1 million to be spent on research in the area of sonoluminescence.

Mr. Chairman, I offered an amendment to the energy and water appropriations bill to strike that funding. The amendment was passed by a vote of 276 to 141. I believe there is widespread support for allowing the Department of Energy, and other departments, for that matter, and their scientists and administrators, to make the decisions on what research and development projects to fund, and that Congress should not attempt to micromanage these issues.

Mr. Chairman, I know the gentleman from Pennsylvania [Mr. WALKER] shares my respect for the importance of research and development programs but especially in the area of basic energy sciences. That is why I seek his assurance that the report language would not be binding, in that the Department of Energy would not be required to spend \$1 million on sonoluminescence research.

Mr. WALKER. Mr. Chairman, if the gentleman would yield, the gentleman is correct that the Committee on Science believes the research into sonoluminescence is worthy of support. We hope the Department of Energy will agree. Scientists at Lawrence Livermore believe the effect of sound waves in water holds promise for a number of

applications, however, the report language would not be binding and the Department of Energy would be free to spend its research dollars as it sees fit.

Mr. WARD. Mr. Chairman, I thank the gentleman very much for his assistance.

The CHAIRMAN. Are there further amendments to title III?

Mr. TORKILDSEN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to engage my colleague, the gentleman from Pennsylvania [Mr. WALKER], the Chair of the Committee on Science, in a colloquy regarding H.R. 2405.

Specifically, I rise to inquire about section 303(b)(2) of H.R. 2405, the Omnibus Science Authorization Act of 1995, which authorizes funds for the Department of Energy nuclear physics program. I would also like to applaud the gentleman for his leadership role in funding this program.

It is my understanding that \$316,873,000 is authorized to be appropriated for nuclear physics for fiscal year 1996, of which \$239,773,000 is designated for operating in capital equipment. Of these dollars, I understand that it is the intention of the Committee on Science to support the university-based accelerators under the nuclear physics account within the funds available. Furthermore, I understand that it is the intention of the committee to support the William H. Bates Linear Accelerator Center, named after former Congressman Bill Bates, and located in Middleton, MA, again within available funds; is this correct?

Mr. WALKER. Mr. Chairman, if the gentleman would yield, the gentleman is corrected that university-based accelerators are crucial to the further scientific exploration of the nuclear physics field in the United States. I thank the gentleman from Massachusetts [Mr. TORKILDSEN] for bringing up this important point for clarification.

Mr. TORKILDSEN. Mr. Chairman, again I applaud the chairman for his leadership role and thank him for his clarification.

The CHAIRMAN. Are there further amendments to title III?

If not, the Clerk will designate title IV.

The text of title IV is as follows:

TITLE IV—NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

SEC. 401. SHORT TITLE.

This title may be cited as the "National Oceanic and Atmospheric Administration Authorization Act of 1995".

SEC. 402. DEFINITIONS.

For the purposes of this title, the term—

(1) "Act of 1890" means the Act entitled "An Act to increase the efficiency and reduce the expenses of the Signal Corps of the Army, and to transfer the Weather Bureau to the Department of Agriculture", approved October 1, 1890 (26 Stat. 653);

(2) "Act of 1947" means the Act entitled "An Act to define the functions and duties of the Coast and Geodetic Survey, and for other purposes", approved August 6, 1947 (33 U.S.C. 883a et seq.);

(3) "Act of 1970" means the Act entitled "An Act to clarify the status and benefits of

commissioned officers of the National Oceanic and Atmospheric Administration, and for other purposes", approved December 31, 1970 (33 U.S.C. 857-1 et seq.);

(4) "Administrator" means the Administrator of the National Oceanic and Atmospheric Administration; and

(5) "Secretary" means the Secretary of Commerce.

Subtitle A—Atmospheric, Weather, and Satellite Programs

SEC. 411. NATIONAL WEATHER SERVICE.

(a) OPERATIONS AND RESEARCH.—There are authorized to be appropriated to the Secretary to enable the National Oceanic and Atmospheric Administration to carry out the operations and research duties of the National Weather Service, \$472,338,000 for fiscal year 1996. Such duties include meteorological, hydrological, and oceanographic public warnings and forecasts, as well as applied research in support of such warnings and forecasts.

(b) SYSTEMS ACQUISITION.—There are authorized to be appropriated to the Secretary to enable the National Oceanic and Atmospheric Administration to carry out the public warning and forecast systems duties of the National Weather Service, \$79,034,000 for fiscal year 1996. Such duties include the development, acquisition, and implementation of major public warning and forecast systems. None of the funds authorized under this subsection shall be used for the purposes for which funds are authorized under section 102(b) of the National Oceanic and Atmospheric Administration Authorization Act of 1992 (Public Law 102-567). None of the funds authorized by such section 102(b) shall be expended for a particular NEXRAD installation unless—

(1) it is identified as a National Weather Service NEXRAD installation in the National Implementation Plan for modernization of the National Weather Service, required under section 703 of the National Oceanic and Atmospheric Administration Authorization Act of 1992 (Public Law 102-567); or

(2) it is to be used only for spare parts, not as an installation at a particular site.

(c) NEW NEXRAD INSTALLATIONS.—No funds may be obligated for NEXRAD installations not identified in the National Implementation Plan for 1996, unless the Secretary certifies that such NEXRAD installations can be acquired within the authorization of NEXRAD contained in section 102(b) of the National Oceanic and Atmospheric Administration Authorization Act of 1992.

(d) ASOS PROGRAM AUTHORIZATION.—Of the sums authorized in subsection (b), \$16,952,000 for fiscal year 1996 are authorized to be appropriated to the Secretary, for the acquisition and deployment of—

(1) the Automated Surface Observing System and related systems, including multisensor and backup arrays for National Weather Service sites at airports; and

(2) Automated Meteorological Observing System and Remote Automated Meteorological Observing System replacement units.

and to cover all associated activities, including program management and operations and maintenance.

(e) AWIPS AUTHORIZATION.—Of the sums authorized in subsection (b), there are authorized to be appropriated to the Secretary \$52,097,000 for fiscal year 1996, to remain available until expended, for—

(1) the acquisition and deployment of the Advanced Weather Interactive Processing System and NOAA Port and associated activities; and

(2) associated program management and operations and maintenance.

(f) CONSTRUCTION OF WEATHER FORECAST OFFICES.—There are authorized to be appro-

riated to the Secretary to enable the National Oceanic and Atmospheric Administration to carry out construction, repair, and modification activities relating to new and existing weather forecast offices, \$20,628,000 for fiscal year 1996. Such activities include planning, design, and land acquisition related to such offices.

(g) STREAMLINING WEATHER SERVICE MODERNIZATION.—

(1) REPEALS.—Sections 706 and 707 of the Weather Service Modernization Act (15 U.S.C. 313 note) are repealed.

(2) CONFORMING AMENDMENTS.—The Weather Service Modernization Act (15 U.S.C. 313 note) is amended—

(A) in section 702, by striking paragraph (3) and redesignating paragraphs (4) through (10) as paragraphs (3) through (9), respectively, and

(B) in section 703—

(i) by striking "(a) NATIONAL IMPLEMENTATION PLAN.—";

(ii) by striking paragraph (3) and redesignating paragraphs (4), (5), and (6) as paragraphs (3), (4), and (5), respectively; and

(iii) by striking subsections (b) and (c).

SEC. 412. ATMOSPHERIC RESEARCH.

(a) CLIMATE AND AIR QUALITY RESEARCH.—

(1) There is authorized to be appropriated to the Secretary to enable the National Oceanic and Atmospheric Administration to carry out its climate and air quality research duties, \$8,757,000 for fiscal year 1996. Such duties include internannual and seasonal climate research and long-term climate and air quality research.

(2) The Administrator shall ensure that at least the same percentage of the climate and air quality research funds that were provided to institutions of higher education for fiscal year 1995 is provided to institutions of higher education from funds authorized by this subsection.

(b) ATMOSPHERIC PROGRAMS.—There are authorized to be appropriated to the Secretary to enable the National Oceanic and Atmospheric Administration to carry out its atmospheric research duties, \$39,894,000 for fiscal year 1996. Such duties include research for developing improved prediction capabilities for atmospheric processes, as well as solar-terrestrial research and services.

(c) GLOBE AUTHORIZATION.—There are authorized to be appropriated to the Secretary to enable the National Oceanic and Atmospheric Administration to carry out the Global Learning and Observations to Benefit the Environment program, \$7,000,000 for fiscal year 1996.

SEC. 413. NATIONAL ENVIRONMENTAL SATELLITE, DATA, AND INFORMATION SERVICE.

(a) SATELLITE OBSERVING SYSTEMS.—There are authorized to be appropriated to the Secretary to enable the National Oceanic and Atmospheric Administration to carry out its satellite observing systems duties, \$319,448,000 for fiscal year 1996, to remain available until expended. Such duties include spacecraft procurement, launch, and associated ground station systems involving polar orbiting and geostationary environmental satellites, as well as the operation of such satellites. None of the funds authorized under this subsection shall be used for the purposes for which funds are authorized under section 105(d) of the National Oceanic and Atmospheric Administration Authorization Act of 1992 (Public Law 102-567).

(b) POES PROGRAM AUTHORIZATION.—Of the sums authorized in subsection (a), there are authorized to be appropriated to the Secretary \$184,425,000 for fiscal year 1996, to remain available until expended, for the procurement of Polar Orbiting Environmental

Satellites, K, L, M, N, and N¹, and the procurement of the launching and supporting ground systems of such satellites.

(c) **GEOSTATIONARY OPERATIONAL ENVIRONMENTAL SATELLITES.**—Of the sums authorized in subsection (a), there are authorized to be appropriated to the Administrator \$46,300,000 for fiscal year 1996, to remain available until expended—

(1) to procure up to three additional Geostationary Operational Environmental NEXT Satellites (GOES I-M clones) and instruments; and

(2) for contracts, and amendments or modifications of contracts, with the developer of previous GOES-NEXT satellites for the acquisition of the additional satellites and instruments described in paragraph (1).

(d) **ENVIRONMENTAL DATA AND INFORMATION SERVICES.**—There are authorized to be appropriated to the Secretary to enable the National Oceanic and Atmospheric Administration to carry out its environmental data and information services duties, \$35,665,000 for fiscal year 1996. Such duties include climate data services, geophysical data services, and environmental assessment and information services.

(e) **NATIONAL POLAR-ORBITING OPERATIONAL ENVIRONMENTAL SATELLITE SYSTEM PROGRAM AUTHORIZATION.**—Of the sums authorized in subsection (a), there are authorized to be appropriated to the Secretary, for fiscal year 1996, \$39,500,000, to remain available until expended, for the procurement of the National Polar-Orbiting Operational Environmental Satellite System, and the procurement of the launching and supporting ground systems of such satellites.

Subtitle B—Marine Research

SEC. 421. NATIONAL OCEAN SERVICE.

(a) **MAPPING AND CHARTING.**—There are authorized to be appropriated to the Secretary, to enable the National Oceanic and Atmospheric Administration to carry out mapping and charting activities under the Act of 1947 and any other law involving those activities, \$29,149,000.

(b) **GEODESY.**—There are authorized to be appropriated to the Secretary, to enable the National Oceanic and Atmospheric Administration to carry out geodesy activities under the Act of 1947 and any other law involving those activities, \$19,927,000 for fiscal year 1996.

(c) **OBSERVATION AND PREDICTION.**—

(1) **IN GENERAL.**—There are authorized to be appropriated to the Secretary, to enable the National Oceanic and Atmospheric Administration to carry out observation and prediction activities under the Act of 1947 and any other law involving those activities, \$11,279,000 for fiscal year 1996.

(2) **CIRCULATORY SURVEY PROGRAM.**—In addition to amounts authorized under paragraph (1), there are authorized to be appropriated to the Secretary, to enable the National Oceanic and Atmospheric Administration to carry out the Circulatory Survey Program, \$695,000 for fiscal year 1996.

(3) **OCEAN AND EARTH SCIENCES.**—In addition to amounts authorized under paragraph (1), there are authorized to be appropriated to the Secretary, to enable the National Oceanic and Atmospheric Administration to carry out ocean and earth science activities, \$4,231,000 for fiscal year 1996.

(d) **ESTUARINE AND COASTAL ASSESSMENT.**—

(1) **IN GENERAL.**—There are authorized to be appropriated to the Secretary, to enable the National Oceanic and Atmospheric Administration to support estuarine and coastal assessment activities under the Act of 1947 and any other law involving those activities, \$1,171,000 for fiscal year 1996.

(2) **OCEAN ASSESSMENT.**—In addition to amounts authorized under paragraph (1),

there are authorized to be appropriated to the Secretary, to enable the National Oceanic and Atmospheric Administration to carry out the National Status and Trends Program, the Strategic Environmental Assessment Program, and the Hazardous Materials Response Program, \$8,401,000 for fiscal year 1996.

(3) **DAMAGE ASSESSMENT PROGRAM.**—In addition to amounts authorized under paragraph (1), there are authorized to be appropriated to the Secretary, to enable the National Oceanic and Atmospheric Administration to carry out the Damage Assessment Program, \$585,000 for fiscal year 1996.

(4) **COASTAL OCEAN PROGRAM.**—In addition to amounts authorized under paragraph (1), there are authorized to be appropriated to the Secretary, to enable the National Oceanic and Atmospheric Administration to carry out the Coastal Ocean Program, \$9,158,000 for fiscal year 1996.

SEC. 422. OCEAN AND GREAT LAKES RESEARCH.

(a) **MARINE PREDICTION RESEARCH.**—There are authorized to be appropriated to the Secretary, to enable the National Oceanic and Atmospheric Administration to carry out marine prediction research activities under the Act of 1947, the Act of 1890, and any other law involving those activities, \$13,763,000 for fiscal year 1996.

(b) **NATIONAL SEA GRANT COLLEGE PROGRAM.**—(1) Section 212(a) of the National Sea Grant College Program Act (33 U.S.C. 1131(a)) is amended to read as follows:

“(a) **GRANTS AND CONTRACTS; FELLOWSHIPS.**—There are authorized to be appropriated to carry out sections 205 and 208, \$34,500,000 for fiscal year 1996.”.

(2) Section 212(b)(1) of the National Sea Grant College Program Act (33 U.S.C. 1131(b)(1)) is amended by striking “an amount” and all that follows through “not to exceed \$2,900,000” and inserting in lieu thereof “\$1,500,000 for fiscal year 1996”.

(3) Section 203(4) of the National Sea Grant College Program Act (33 U.S.C. 1122(4)) is amended by striking “discipline or field” and all that follows through “public administration” and inserting in lieu thereof “field or discipline involving scientific research”.

SEC. 423. USE OF OCEAN RESEARCH RESOURCES OF OTHER FEDERAL AGENCIES.

(a) **FINDINGS.**—The Congress finds the following:

(1) Observing, monitoring, and predicting the ocean environment has been a high priority for the defense community to support ocean operations.

(2) Many advances in ocean research have been made by the defense community which could be shared with civilian researchers.

(3) The National Oceanic and Atmospheric Administration's missions to describe and predict the ocean environment, manage the Nation's ocean and coastal resources, and promote stewardship of the world's oceans would benefit from increased cooperation with defense agencies.

(b) **SENSE OF CONGRESS.**—It is the sense of the Congress that the National Oceanic and Atmospheric Administration should expand its efforts to develop interagency agreements to further the use of defense-related technologies, data, and other resources to support its oceanic missions.

(c) **REPORT.**—

(1) **IN GENERAL.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of Commerce shall submit to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the feasibility of expanding the use of defense-related technologies, data, and other resources to support and en-

hance the oceanic missions of the National Oceanic and Atmospheric Administration.

(2) **CONTENTS.**—The report required under paragraph (1) shall include—

(A) a detailed listing of defense-related resources currently available to the National Oceanic and Atmospheric Administration and the National Oceanic and Atmospheric Administration missions which utilize those resources;

(B) detailed findings and recommendations, including funding requirements, on the potential for expanding the use of available defense-related resources;

(C) a detailed listing and funding history of the National Oceanic and Atmospheric Administration resources, including data and technology, which could be supplemented by defense-related resources;

(D) a listing of currently unavailable defense-related resources, including data and technology, which if made available would enhance the National Oceanic and Atmospheric Administration mission performance;

(E) recommendations on the regulatory and legislative structures needed to maximize the use of defense-related resources;

(F) an assessment of the respective roles in the use of defense-related resources of the Army Corps of Engineers, data centers, operational centers, and research facilities of the National Oceanic and Atmospheric Administration; and

(G) recommendations on how to provide access to relevant defense-related data for non-Federal scientific users.

Subtitle C—Program Support

SEC. 431. PROGRAM SUPPORT.

(a) **EXECUTIVE DIRECTION AND ADMINISTRATIVE ACTIVITIES.**—There are authorized to be appropriated to the Secretary, to enable the National Oceanic and Atmospheric Administration to carry out executive direction and administrative activities under the Act of 1970 and any other law involving those activities, \$20,632,000 for fiscal year 1996.

(b) **CENTRAL ADMINISTRATIVE SUPPORT.**—There are authorized to be appropriated to the Secretary, to enable the National Oceanic and Atmospheric Administration to carry out central administrative support activities under the Act of 1970 and any other law involving those activities, \$30,000,000 for fiscal year 1996.

(c) **RETIRED PAY.**—There are authorized to be appropriated to the Secretary, for retired pay for retired commissioned officers of the National Oceanic and Atmospheric Administration under the Act of 1970, \$7,706,000 for fiscal year 1996.

(d) **MARINE SERVICES.**—

(1) **CONTRACTING AUTHORITY.**—Notwithstanding any other provision of law, the Secretary is authorized to enter into contracts for data or days-at-sea to fulfill the National Oceanic and Atmospheric Administration missions of marine research, climate research, fisheries research, and mapping and charting services.

(2) **UNOLS VESSEL AGREEMENTS.**—In fulfilling the National Oceanic and Atmospheric Administration mission requirements described in paragraph (1), the Secretary shall use excess capacity of University-National Oceanographic Laboratory System vessels where appropriate, and may enter into memoranda of agreement with operators of those vessels to carry out those mission requirements.

(3) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the Secretary, to enable the National Oceanic and Atmospheric Administration to carry out marine services activities, including activities described in paragraphs (1) and (2), \$60,689,000 for fiscal year 1996.

(e) **AIRCRAFT SERVICES.**—There are authorized to be appropriated to the Secretary, to

enable the National Oceanic and Atmospheric Administration to carry out aircraft services activities (including aircraft operations, maintenance, and support) under the Act of 1970 and any other law involving those activities, \$9,548,000 for fiscal year 1996.

(f) **FACILITIES REPAIRS AND RENOVATIONS.**—There are authorized to be appropriated to the Secretary, to enable the National Oceanic and Atmospheric Administration to carry out facilities repairs and renovations, \$7,374,000 for fiscal year 1996.

Subtitle D—Streamlining of Operations

SEC. 441. PROGRAM TERMINATIONS.

(a) **TERMINATIONS.**—No funds may be appropriated for the following programs and accounts:

(1) The National Undersea Research Program.

(2) The Fleet Modernization, Shipbuilding, and Construction Account.

(3) The Charleston, South Carolina, Special Management Plan.

(4) Chesapeake Bay Observation Buoys.

(5) Federal/State Weather Modification Grants.

(6) The Southeast Storm Research Account.

(7) The Southeast United States Caribbean Fisheries Oceanographic Coordinated Investigations Program.

(8) National Institute for Environmental Renewal.

(9) The Lake Champlain Study.

(10) The Maine Marine Research Center.

(11) The South Carolina Cooperative Geodetic Survey Account.

(12) Pacific Island Technical Assistance.

(13) Sea Grant/Oyster Disease Account.

(14) National Coastal Research and Development Institute Account.

(15) VENTS program.

(16) National Weather Service non-Federal, non-wildfire Fire Weather Service.

(17) National Weather Service Regional Climate Centers.

(18) National Weather Service Samoa Weather Forecast Office Repair and Upgrade Account.

(19) Dissemination of Weather Charts (Marine Facsimile Service).

(b) **REPORT.**—Not later than 60 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report certifying that all the programs listed in subsection (a) will be terminated no later than September 30, 1995.

(c) **REPEAL OF SEA GRANT PROGRAMS.**—

(1) **REPEALS.**—(A) Section 208(b) of the National Sea Grant College Program Act (33 U.S.C. 1127(b)) is repealed.

(B) Section 3 of the Sea Grant Program Improvement Act of 1976 (33 U.S.C. 1124a) is repealed.

(2) **CONFORMING AMENDMENT.**—Section 209 of the National Sea Grant College Program Act (33 U.S.C. 1128(b)(1)) is amended by striking “and section 3 of the Sea Grant Program Improvement Act of 1976”.

(d) **ADDITIONAL REPEAL.**—The NOAA Fleet Modernization Act (33 U.S.C. 851 note) is repealed.

SEC. 442. LIMITATIONS ON APPROPRIATIONS.

(a) **SUBSEQUENT FISCAL YEARS.**—No sums are authorized to be appropriated for any fiscal year after fiscal year 1996 for the activities for which sums are authorized by this title unless such sums are specifically authorized to be appropriated by Act of Congress with respect to such fiscal year.

(b) **FISCAL YEAR 1996.**—No more than \$1,692,470,000 is authorized to be appropriated to the Secretary for fiscal year 1996, by this Act or any other Act, to enable the National

Oceanic and Atmospheric Administration to carry out all activities associated with Operations, Research, and Facilities.

(c) **REDUCTION IN TRAVEL BUDGET.**—Of the sums appropriated under this Act for Operations, Research, and Facilities, no more than \$20,000,000 may be used for reimbursement of travel and related expenses for National Oceanic and Atmospheric Administration personnel.

SEC. 443. REDUCTION IN THE COMMISSIONED OFFICER CORPS.

(a) **MAXIMUM NUMBER.**—The total number of commissioned officers on the active list of the National Oceanic and Atmospheric Administration shall not exceed—

(1) 369 for fiscal year 1996;

(2) 100 for fiscal year 1997; and

(3) 50 for fiscal year 1998.

No such commissioned officers are authorized for any fiscal year after fiscal year 1998.

(b) **SEPARATION PAY.**—The Secretary may separate commissioned officers from the active list of the National Oceanic and Atmospheric Administration, and may do so without providing separation pay.

Subtitle E—Miscellaneous

SEC. 451. WEATHER DATA BUOYS.

(a) **PROHIBITION.**—It shall be unlawful for any unauthorized person to remove, change the location of, obstruct, willfully damage, make fast to, or interfere with any weather data buoy established, installed, operated, or maintained by the National Data Buoy Center.

(b) **CIVIL PENALTIES.**—The Administrator is authorized to assess a civil penalty against any person who violates any provision of this section in an amount of not more than \$10,000 for each violation. Each day during which such violation continues shall be considered a new offense. Such penalties shall be assessed after notice and opportunity for a hearing.

(c) **REWARDS.**—The Administrator may offer and pay rewards for the apprehension and conviction, or for information helpful therein, of persons found interfering, in violation of law, with data buoys maintained by the National Data Buoy Center; or for information leading to the discovery of missing National Weather Service property or the recovery thereof.

SEC. 452. DUTIES OF THE NATIONAL WEATHER SERVICE.

(a) **IN GENERAL.**—To protect life and property and enhance the national economy, the Secretary, through the National Weather Service, except as outlined in subsection (b), shall be responsible for—

(1) forecasts and shall serve as the sole official source of weather warnings;

(2) the issue of storm warnings;

(3) the collection, exchange, and distribution of meteorological, hydrological, climatic, and oceanographic data and information; and

(4) the preparation of hydrometeorological guidance and core forecast information.

(b) **COMPETITION WITH PRIVATE SECTOR.**—The National Weather Service shall not compete, or assist other entities to compete, with the private sector when a service is currently provided or can be provided by commercial enterprise, unless—

(1) the Secretary finds that the private sector is unwilling or unable to provide the services; and

(2) the service provides vital weather warnings and forecasts for the protection of lives and property of the general public.

(c) **AMENDMENTS.**—The Act of 1890 is amended—

(1) by striking section 3 (15 U.S.C. 313); and

(2) in section 9 (15 U.S.C. 317), by striking all after “Department of Agriculture” and inserting in lieu thereof a period.

(d) **REPORT.**—Not later than 60 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report detailing all National Weather Service activities which do not conform to the requirements of this section and outlining a timetable for their termination.

SEC. 453. REIMBURSEMENT OF EXPENSES.

(a) **IN GENERAL.**—Notwithstanding section 3302 (b) and (c) of title 31, United States Code, and subject to subsection (b) of this section, all amounts received by the United States in settlement of, or judgment for, damage claims arising from the October 9, 1992, allision of the vessel ZACHERY into the National Oceanic and Atmospheric Administration research vessel DISCOVERER—

(1) shall be retained as an offsetting collection in the Marine Services account of the National Oceanic and Atmospheric Administration;

(2) shall be deposited in that account upon receipt by the United States Government; and

(3) shall be available only for obligation for National Oceanic and Atmospheric Administration vessel repairs.

(b) **LIMITATION.**—Not more than \$518,757.09 of the amounts referred to in subsection (a) may be deposited into the Marine Services account pursuant to subsection (a).

SEC. 454. ELIGIBILITY FOR AWARDS.

(a) **IN GENERAL.**—The Administrator shall exclude from consideration for awards of financial assistance made by the National Oceanic and Atmospheric Administration after fiscal year 1995 any person who received funds, other than those described in subsection (b), appropriated for a fiscal year after fiscal year 1995, from any Federal funding source for a project that was not subjected to a competitive, merit-based award process. Any exclusion from consideration pursuant to this section shall be effective for a period of 5 years after the person receives such Federal funds.

(b) **EXCEPTION.**—Subsection (a) shall not apply to awards to persons who are members of a class specified by law for which assistance is awarded to members of the class according to a formula provided by law.

SEC. 455. PROHIBITION OF LOBBYING ACTIVITIES.

None of the funds authorized by this title shall be available for any activity whose purpose is to influence legislation pending before the Congress, except that this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to Members of Congress on the request of any Member or to Congress, through the proper channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business.

SEC. 456. REPORT ON LABORATORIES.

(a) **IN GENERAL.**—Not later than 120 days after the date of the enactment of this Act, the Secretary shall conduct a review of the laboratories operated by the National Oceanic and Atmospheric Administration and submit a report to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(b) **REQUIREMENTS.**—The report required by subsection (a) shall—

(1) address potential efficiencies and savings which could be achieved through closing or consolidating laboratory facilities;

(2) review each laboratory's—

(A) mission and activities and their correlation to the mission priorities of the National Oceanic and Atmospheric Administration;

(B) physical assets, equipment, condition, and personnel resources; and

(C) organization and program management; and

(3) address other issues the Inspector General considers relevant.

The CHAIRMAN. Are there amendments to title IV?

Mr. ROHRBACHER. Mr. Chairman, I move that the committee do now rise. The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. LAHOOD] having assumed the chair, Mr. KINGSTON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2405) to authorize appropriations for fiscal years 1996 and 1997 for civilian science activities of the Federal Government, and for other purposes, had come to no resolution thereon.

□ 1845

GENERAL LEAVE

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2405 the bill just considered.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from Tennessee?

There was no objection.

DEPARTMENT OF TRANSPORTATION BIENNIAL REPORT ON HAZARDOUS MATERIALS TRANSPORTATION, CALENDAR YEARS 1992-1993—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Transportation and Infrastructure:

To the Congress of the United States:

In accordance with Public Law 103-272, as amended (49 U.S.C. 5121(e)), I transmit herewith the Biennial Report on Hazardous Materials Transportation for Calendar Years 1992-1993 of the Department of Transportation.

WILLIAM J. CLINTON.

THE WHITE HOUSE, October 11, 1995.

ELECTION OF MEMBER TO COMMITTEE ON ECONOMIC AND EDUCATIONAL OPPORTUNITIES

Mr. HOYER. Mr. Speaker, I offer a privileged resolution (H. Res. 236) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

HOUSE RESOLUTION 236

Resolved, That the following named Member be, and is hereby, elected to the following standing committee of the House of Representatives:

To the Committee on Economic and Educational Opportunities: the following Member: CHAKA FATTAH of Pennsylvania.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SPECIAL ORDERS

The Speaker pro tempore. Under the Speaker's announced policy of May 12, 1995, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. HORN] is recognized for 5 minutes.

[Mr. HORN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

TRIBUTE TO JIM KENNELLY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut [Mr. GEJDENSON] is recognized for 5 minutes.

Mr. GEJDENSON. Mr. Speaker, I rise today first as a senior member of the Connecticut delegation to give our condolences to a colleague, the gentlewoman from Connecticut, BARBARA KENNELLY, who lost her husband this weekend.

Jim Kennelly was my speaker when I was first elected to the State House in 1975. Speaker Kennelly was one of the individuals that every Member, Republican and Democrat, respected for his incredible knowledge of the rules of the House. In every legislative opportunity, Speaker Kennelly really showed his brilliance. As a legislator, he was second to no one. He held such a commanding presence on legislative matters in the State House.

Mr. Speaker, I think that of all those 151 Members that served those two sessions that I served in the Connecticut General Assembly with Speaker Kennelly, it was clear he was felt to be the most brilliant Member of the body, the most dedicated public servant working late into the night.

We are going to miss Jim, and we obviously feel for our colleague and friend, BARBARA KENNELLY. I have known the Kennelly's now for in the range of 20, 25 years. The intensity of political life is such that it bonds you in a way that almost no other experience except for war may do to individuals. And for Democrats and Republicans alike, as we have tremendous battles over substantive issues, our feelings for our families and for our friendship is that much more intense. I will miss Jim Kennelly, and I pain for my colleague and friend, BARBARA KENNELLY.

Mrs. JOHNSON of Connecticut. Mr. Speaker, will the gentleman yield?

Mr. GEJDENSON. I yield to the gentlewoman from Connecticut.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I thank the gentleman from Connecticut.

Both Sam and I served in the Connecticut State Legislature when Jim was Speaker of the House of Representatives. While Sam served directly under him, I felt his influence in the upper chamber. Jim Kennelly was probably as brilliant a legislative mind as any State has enjoyed. But not only was he a fine legislator, he was an extremely able politician in the best sense of that word.

He really did listen to the concerns of people from different parts of the State with different difficulties, different problems, and, kind of in the tradition of Tip O'Neill, he led in the best sense of that word. The gift that he gave to Connecticut during his years of political involvement, though naturally we did not all agree, was a gift that every single citizen enjoyed with or without their direct knowledge.

As we join on the floor here tonight to remember Jim Kennelly, I would like to comment on my heartfelt sympathy for BARBARA, his extremely able wife and our colleague, for she has served Jim and her family, this Congress and her constituency and our Nation with extraordinary ability. They were a close couple, a strong family, the best kind of model both of public servants and capable leaders that America is capable of producing.

I join you in paying tribute to Jim Kennelly, an outstanding political leader and a special person in the hearts of every Member of the Connecticut constituency.

Mr. GEJDENSON. I would like to thank the gentleman from Utah, Mr. HANSEN, who has agreed to wait a couple extra minutes so that we can complete our respect and concern for BARBARA.

I yield to the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Speaker, I want to thank my colleagues, SAM GEJDENSON and NANCY JOHNSON, and I wish we did not have to take the floor this evening for this sad occasion. Connecticut truly today did lose one of its finest public servants in Jim Kennelly. My colleague, our colleague, BARBARA KENNELLY, lost so much more today, and we extend to BARBARA and to her family and to her children our heartfelt sympathy. Our thoughts and our prayers are with the Kennelly family.

We pay tribute to a man who was truly a powerhouse, an unbelievable legislator in his own right, and as well a political spouse. There were none better in that role. It was 1959 that Jim and BARBARA were married, and they became a political power couple in the State of Connecticut. Jim was a rising star. BARBARA was heir to one of Connecticut's most famous political dynasties.

Together they shared the dream and, as our NANCY JOHNSON just said, they were a wonderful couple. They were a political couple. They were a caring couple. They cared about what happened to people in the State of Connecticut and all over this country.

They pursued their dreams and their dedication together. Jim Kennelly ran for public office in 1966. He was elected as a State representative in the State House. He climbed that ladder to the very top rung. He served as the Speaker of the House. I did not have the opportunity to serve with him there, but he was there from 1975 to 1978.

As my colleagues on both sides of the aisle mentioned, he had the respect of Republicans and Democrats in that body. No one will question BARBARA KENNELLY's rise also as a star in proving her adeptness in a political world, and she climbed that ladder as did her husband.

I often had the opportunity to watch Jim Kennelly watch BARBARA KENNELLY as she spoke and as she went out and she did her work. There was a great love, great affection, and great pride in his eyes as he watched her.

There are those of us who know what the demands of political life are all about. And for women Members oftentimes there is a lot expected to balance that nontraditional role of being a Member of the Congress and at the same time also being a wife and a mother. Women in Congress understand the need to have a very supportive spouse. Jim Kennelly was such a man.

He was comfortable and content to be at the top rung in political life as well as being the supportive spouse.

So I join my colleagues tonight in offering our sympathy and our heartfelt prayers for BARBARA and her family.

Mr. MILLER of California. Mr. Speaker, will the gentleman yield?

Mr. GEJDENSON. I yield to the gentleman from California.

Mr. MILLER of California. Mr. Speaker, I just want to thank the gentleman and the gentlewoman from Connecticut [Mr. JOHNSON], for taking this time to pay respects to Jim Kennelly. I did not know him in his legislative capacity, but the stories and the testimony of his accomplishments are legend about his service in the State legislature.

I had an opportunity to know him as BARBARA'S husband and had a couple of chances to travel with him and to spend time, and he was a wonderful, wonderful human being. He was very generous in his time to other spouses on the trip. He was insightful about politics. He was a very good storyteller. He made people very comfortable to be around him. His company was enjoyed and sought by those who would share any kind of time with him.

I just want to express my sympathies and concerns and my prayers and those of my wife Cynthia for BARBARA and for the children. Jim was a wonderful husband and a wonderful friend and a wonderful person to know I thank the gentleman very much for taking the time.

Mr. DURBIN. Mr. Speaker, will the gentleman yield?

Mr. GEJDENSON. I yield to the gentleman from Illinois.

Mr. DURBIN. Mr. Speaker, I would like to thank my colleagues from Connecticut and California for this tribute.

One of the rewards of public service is the friendships that you make. It has been my great fortune to make the friendship of BARBARA KENNELLY and her husband, Jim. These friendships extend beyond business hours when we have a chance to relax and get to know one another.

I came to know the Kennelly family; what a great legendary political family they are. Jim, who served with such distinction at the legislative level, was known to me when I worked at the State legislative level for his leadership not only in Connecticut but across the Nation. Then I came to meet BARBARA and realized what she contributed to our country here in her service to the U.S. House of Representatives.

As the gentlewoman from Connecticut, [Mrs. DELAURO] said, Jim graduated from the role of speaker and legislative leader to the role of political spouse, not an easy burden to carry for many men, but he carried it so well. He respected BARBARA'S contribution. He was part of her decision process. He was supportive of her. All of us in public life depend so much on that support and he did such a great job.

I am sorry to hear of his passing. I extend my condolences to Barbara and the family, and I hope that this special order is an indication that Jim's contribution to Connecticut and the country will be long remembered.

Mr. GEJDENSON. Mr. Speaker, just a few more words. There is no, I think, statement that a legislator can make about one of his colleagues that is more respectful than speaker. And for me the first speaker I ever served under was Speaker Kennelly. He was a brilliant and powerful speaker. He was someone with a great concern for the rank and file members. I was a freshman of the general assembly, but the door was always open to Speaker Kennelly. He was always there to help us.

My second term in Connecticut—the speaker appoints the chairman of committees—he appointed me the chairman of the labor and industrial relations committee. Not something you have happen very often, especially in the old days, making somebody new and somebody young the chairman of a committee.

One of the meetings I was coming to, my car had broken down and I was hitchhiking in and his daughter picked me up hitchhiking and she did not know I was a State legislator. We both ended up walking into the speaker's office almost together. I am not sure he was that happy that his daughter was picking up hitchhikers, but he was an amazing speaker. He was an amazing friend. He is legend in Connecticut for his knowledge of Robert's Rules of Order. And while today knowing the process and knowing the rules is not as respected as it used to be, it is critical to the operation of a legislative body. Virtually without reference, he could

deal with any complicated legislative situation on the floor.

Mr. Speaker, I would like to yield to my colleague, Mr. SHAYS.

Mr. SHAYS. Mr. Speaker, Jim Kennelly was the best speaker that I have ever seen in my life in the 20 years I have been a member of the State house and Congress.

□ 1900

He was someone who believed so passionately in the institution and his responsibilities of guiding the chamber that he was quite willing to make a ruling that may not have been what he wanted to make, and may have caused tremendous problems for the operation. But he would, on occasion, agree that the minority's point was well taken, and in spite of the pressure that he might have gotten from a whole host of different people and in spite of the pressure he might have felt for himself to move business along, he was willing to concede that the process was so important that he would adjust his timetable and his schedule and accept the ruling that was in fact against his own wishes.

He was extraordinarily kind. He was as intelligent as I have ever known anyone to be. He was a leader in terms of our constitutional convention when we established our new Constitution for the State of Connecticut. He was a man you could go to and always know you were going to get a straight and direct answer and know that it came with a great deal of thought and energy.

He was a wonderful man. He enriched my life. I used him as a model. I am not saying that I followed him. The gentleman would probably say I did not follow him well at all, but I certainly knew what an ideal legislator was like, and he was it.

Mr. GEJDENSON. Just reclaiming my time for one moment, you always felt intellectually challenged when you went in to meet Speaker Kennelly, whether you were with him on the issue or as you were on many occasions on the opposite side of the issue, that he always gave you an honest and very tough intellectual presentation. You had to prove your point. You had to know your facts. You knew when you went in to see him, he certainly knew the facts and the law.

Mr. SHAYS. I would just say that he is part of an incredible family, the Bailey family. John Bailey, his father-in-law, the chairman of the Democratic Party in Connecticut, in fact brought that Democratic Party from minority status to extraordinary majority status, helped elect the first Jewish Governor, the first woman Governor. He was all part of this incredible family.

There is a real loss in Connecticut with the passing of Jim Kennelly. I thank both my colleagues for allowing me the opportunity to really say something that I feel very deeply about.

Mr. GEJDENSON. Before yielding to the gentleman from Indiana [Mr. BURTON], I must add that Chairman Bailey

was also national chairman under President John Kennedy.

Mr. SHAYS. He sure was.

Mr. GEJDENSON. This was a family, on the Kennelly and the Bailey side, that had an incredible impact on the country.

Mr. BURTON of Indiana. Just briefly, and I thank the gentleman for yielding. I only met Mr. Kennelly a couple of times, but whether we have philosophical or political differences around here or not, we are all family. Once you go through the wars like we have, we build up a very strong mutual respect for one another, even though we do have those differences.

BARBARA KENNELLY is one of the finest people I know in this Chamber, and her husband likewise was a fine person. On behalf of the people who are not here tonight on our side of the aisle, we want to express our condolences to her and her family. I know this is a very difficult time. As part of the House of Representatives family, we want to express our concern for them.

Mr. SHAYS. If the gentleman would just yield so I could express my admiration and love for Barbara Kennelly, and let her know that everyone on our side of the aisle has extraordinary respect for her and hopes that the next few days are as easy as possible for her.

Mr. GEJDENSON. I yield to the gentlewoman from California [Ms. PELOSI].

Ms. PELOSI. I thank the gentleman for yielding and for taking this special order mourning the loss of Jim Kennelly and extending our condolences to our colleague.

As a fellow graduate of Trinity College, Washington, DC, as our colleague BARBARA KENNELLY is, I know how important her family is to her, how much she loved her husband, how proud her mother is of her entire family and this proud tradition that the Bailey family and the Kennelly family have brought to Connecticut, indeed to the entire country.

I hope it is a consolation to BARBARA that so many of her colleagues express their love and admiration for her tonight. As was said this morning, as we mourn the loss of those who die, in this case Jim, let us thank God that he lived.

Ms. DELAURO. I just wanted to add that I said I did not serve with the Speaker because I did not serve in the Connecticut State Legislature. But given where Jim Kennelly was in the firmament of Connecticut politics, and John Bailey, if the walls could tell stories, I think it would be pretty wild.

In fact, I think Connecticut has lost a piece of its history today. We all want BARBARA to know that she too and her family are Connecticut's history, part of the history of this body here, and that it is a tribute to her and to Jim to have so many of her colleagues on their feet tonight loving and being with her in spirit and thought and prayers.

Mr. GEJDENSON. Mr. Speaker, I would just close by saying the family,

the Kennelly children and the Baileys, Jim's other relatives, that we all give them our deepest sympathies, but to say that for Jim, his legacy are his accomplishments.

As Speaker of the Connecticut House, he molded every piece of legislation that went through it. He was an active Speaker that led the issues, fighting for change, and improving Connecticut's cities and its citizens' lot. For that he will always be remembered by the rest of society; by his family, of course, as their father and husband. We will all miss him.

The SPEAKER pro tempore. The Chair joins with all Members of the House in expressing our deepest condolences to Congresswoman KENNELLY and her family.

SAY WHAT IS TRUE

The SPEAKER pro tempore (Mr. FOX of Pennsylvania). Under a previous order of the House, the gentleman from Utah [Mr. HANSEN] is recognized for 5 minutes.

Mr. HANSEN. Mr. Speaker, out West the predominant church out there in one of the States sings a song that says, "Oh, say what is true." What a refreshing statement, that you should always say the truth.

When I was a freshman around here in 1981, I remember distinctly getting a fundraising letter from an organization, and they wrote to me and they said, if you will only send us some money, \$10, \$20, \$30, \$40, \$50, we will be in a position to take care of the Chesapeake Bay which then-Secretary of the Interior Jim Watt is polluting. We can take that money and we can step in and we will save Chesapeake Bay.

Strangely enough that afternoon Secretary Watt had an appointment with me. He came in the office. I showed him the letter. He got a good laugh out of it and he said, how ridiculous. He said, in effect, we are putting a lot of money into the Chesapeake Bay to take care of it. Out of curiosity, though, I sent them some money and about 6 months later I got an interesting reply that said out of your generosity, Mr. HANSEN, we were able to save Chesapeake Bay from the ravages of Secretary Watt and all the rotten things he was going to do.

We all know in reality that he did nothing to the bay. In fact he put the money into it, but it was a whale of a good fundraising letter.

I think that the American people should realize, Mr. Speaker, that this is the oldest fundraising trick in the book. Create a straw man and knock it down. I thought it was interesting today, because sent to me from the great State of Utah is a letter, and this letter comes from a man by the name of Robert Redford from Sundance, UT, kind of a familiar name around the United States, and he is sending out a fundraising letter and Mr. Redford is asking basically the same thing as these folks did on Save the Bay.

I will not bore the House with all of the things that are in it, but he says.

Incredibly the new leadership in Congress is ready to break this longstanding contract. They want to begin selling off our natural heritage to private commercial interests in order to raise a few quick bucks under the pretext of deficit reduction. Our national parks would be closed down like military bases.

I am sure that Mr. Redford is a little misguided here, but here is the bill he is referring to, H.R. 260. Page 13 of the bill, as we used to say around here, and in State legislatures and in county commissions and even the third-class cities, when all else fails, read the legislation.

Let me read it, for all these people who are trying to come out with a national park closing bill:

"Nothing in this act shall be construed as modifying or terminating any unit of the national park system without an act of Congress," the way it has been for almost 200 years.

He goes to say, "Our national forests would be sold off and logged." Pray tell, where is the bill? Can somebody bring the bill up, give me a bill number and show it to me? I am the chairman of that committee. I am the one that handles all the public land, national forest, parks. Where is the bill? I want to see it. But, of course, this will be a great one to raise a few bucks.

Our wildlife refuges would be opened to destructive oil and gas development. Name the wildlife refuge in America, Mr. Redford. Where is it? There is only one that I am aware of and that happens to be Anwar in Alaska, of 19 million acres, and Mr. YOUNG, the chairman of the full Committee on Resources, wants an infinitesimal part of that to be used for exploration of fossil fuels. But where in the lower 48 or Hawaii or Guam, the Virgin Islands, or Puerto Rico, where is it? I would like to know where it is, but I am sure that will hit the hot button with a few folks and they will come up with it.

Hundreds of millions of acres of scenic lands would simply be given away. Where is that bill? I do not know. Every piece of legislation, the Park Service, the BLM, the Forest Service, every one of them has a management plan, and nobody but nobody is giving away any private ground at this particular point.

Well, another one says, "Here in Utah, we would lose 20 million acres overnight. That's two-thirds of all our federally protected lands, under legislation that is now before Congress." What is the bill number? Where is it? Who is sponsoring the bill? As the old Member from Utah, I would sure like to know where that bill is.

I have nothing against Mr. Redford. He has a right to do that. But come on, now, folks, let us be reasonable about this. If we are going to do it, let us go back to that old Mormon song, "Oh, say what is true." What a refreshing thing to do. Would that not be nice if in all America the politicians did that?

I still remember all the people on Social Security who call in and say, gee, I got a letter from a past Congressman and he thinks Social Security is going to be gutted, but if you will give \$10, \$20, \$30, \$40, \$50, we will save that legislation. I have not been around here as long as a lot of folks but 15 years, and I will tell you most of that legislation is saved right now.

Mr. Speaker, I have a lot more examples here, I can see I have used my 5 minutes, but I would surely hope that people are wise enough, prudent enough, and have enough judgment to realize when they get these letters, are they predicated and grounded in truth or are they just some way to pick up a fast buck for a lot of people?

MEDICARE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. KIM] is recognized for 5 minutes.

Mr. KIM. Mr. Speaker, I hope all my California people right now are watching me and listening to me today, especially senior citizens, because I would like to talk about Medicare.

I am deeply concerned about all this rhetoric that is going on, frightening senior citizens by twisted information and disinformation. I would like to get the facts straight tonight.

I was an engineer all my life. I have been dealing with the facts, numbers. I used to get straight A's in all the math and physics. Tonight I am going to talk about facts again and perhaps dealing with the simple numbers.

All this rhetoric that is going on, saying that we give millions and millions of dollars tax credit to rich people at the expense of senior citizens by cutting Medicare spending. Let me get this straight. Give a tax credit to rich people? Let me get a little chart here.

The tax cut we are talking about is \$500 tax credit to the child support, \$2,000 for child adoption. That is what we are talking about. The tax credit is coming from a non-Medicare spending cut, roughly \$622 billion, the money is coming from this fund. Not the Medicare money, not the Medicare trust fund.

By doing this, we can save \$377 billion for deficit credit. By giving a tax credit to child support, we can stimulate the economy, thus create more jobs and more revenue to Government.

Besides, Congress passed an amendment to the Medicare bill to prohibit transferring any money from Medicare to other funds. It is illegal to transfer money from Medicare to other general funds. It cannot be done. So how can they say that we are giving all the million-dollar credit to rich taxpayers at the expense of a Medicare cut? That is absolutely false. It is not true.

The second argument is that we are cutting too fast too much. That is another rhetoric that I cannot accept. Let us talk about that quickly. Too fast. What do you mean by too fast?

Because according to the Medicare trust fund report, Medicare will be bankrupt in 7 years. We have got to save it.

Oh, yes, we have a plan, a counterplan to extend it out to 10 years, same general plan. But if Medicare is bankrupt in 7 years, how can you save it in 10 years? Let me show a little chart to show what we are doing.

We are talking about cutting too fast too much. Here it is.

□ 1915

Right now, the Medicare part A has been financed by payroll taxes. You pay half; your employer contributes the other half.

Is it fair to you that we have to raise the taxes so you can subsidize the existing Medicare plan? Of course not.

Let us take a look at the part B. This is what you are paying. The beneficiary only pays 31 percent. Other taxpayers are subsidizing by 68 percent. In other words, beneficiaries only pay one-third, and other taxpayers have to subsidize by two-thirds. It used to be half and half. It keeps going up. If you do nothing, within 7 years the beneficiary will only pay 18 percent; the other taxpayers have to subsidize by 82 percent. Is it fair, asking other taxpayers to pay almost 90 percent of the Medicare plan? Of course not.

All we are trying to do is maintain this relationship, one-third paid by the senior citizens, two-thirds paid by the other, younger taxpayers. We feel that is fair. We would like to maintain that same proportion, same 31, one-third, and two-thirds relationship.

They call that a cut. Is it really a cut, trying to maintain the same ratio of one-third, two-thirds? Is it really cutting too much to try to maintain the same ratio?

Right now, the Medicare price has gone up out of control. Part B last year alone has gone up 12 percent while the private plan only has gone up 1.5 percent. The price is out of control.

There is so much waste and fraud going on in the Medicare system. That is why we try to correct it, try to save the Medicare from bankruptcy. It is fair to everybody, fair to the younger generation as well.

Again, I would like to readdress again to my Democrat colleagues who argue \$270 billion Medicare savings is too much. They believe that \$90 billion is enough to save the system. Let me tell you, their plan would leave Medicare with a \$300 billion deficit just at the time the first wave of baby boomers reach retirement. This is going to be chaotic when the baby boomers decide to retire.

This Democrat plan will not work. We have got to do something now. Of course, it is better not to do anything and let it bankrupt it. But they are not going to get a quick decision.

I think that solving the Medicare problem is difficult now. But imagine when the baby boomers hit, it is going to be really chaotic.

Again, we are not cutting Medicare to provide a tax cut for the rich. We are not cutting too much too fast. Instead we are trying to save the Medicare from bankruptcy to preserve fairness for the working families.

AMERICAN DIES IN CUSTODY OF PALESTINIANS

The SPEAKER pro tempore (Mr. FOX of Pennsylvania). Under a previous order of the House, the gentleman from Colorado [Mr. SKAGGS] is recognized for 5 minutes.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. BURTON] is recognized for 5 minutes.

Mr. BURTON of Indiana. Mr. Speaker, I hope all of my colleagues who are here will listen to what I am going to read to them. A man named Mohammed Rahim Mosleh, an American citizen, was picked up for questioning Wednesday at a cafe by plainclothesmen who identified themselves as agents of Jericho's preventive security police on the West Bank, now the new domicile of the Palestinian Liberation Organization.

He was picked up. He was dressed only in his trousers when his body was returned today at 2:00 a.m.

Now get this, my colleagues, his forehead was bruised blue, his lip was torn open, blood had flowed from one ear, and there were what appeared to be burn marks on his right foot, like cigarette burns, according to family members.

Palestinian security officials speaking on conditions of anonymity, said Mosleh was overcome by the 98 degree heat in Jericho and had a heart attack. Get that, he had a heart attack with his head smashed in, his lip bleeding, his blood coming out of his ear and burn marks on his feet.

A doctor at Jericho's hospital, where Mosleh was dead on arrival, refused to issue a death certificate. The certificate would normally include a cause of death.

Witnesses said Mosleh was playing cards at a village coffee shop when six men identifying themselves as preventive security agents for the PLO approached his table Wednesday and invited Mosleh outside. They said they were investigating a theft of gold from his sister and asked him to come with them to Jericho. When he did not return that night, his wife and two of his sons drove to Jericho on Thursday to ask about him. Preventive security agents twice told them to come back later, assuring them that Mosleh was there.

On the third trip, another agent said preventive security knew nothing about his whereabouts.

Now, I am for the peace process in the Middle East. We all want there to be peace in the Middle East, and we want it to work out between the Israeli Government and the PLO leader, Yasser Arafat, and the PLO forces. But

here is an American citizen that was tortured to death, and nobody is doing anything about it. This is an American citizen who had his head bashed in, his lip torn open, beaten in the ear so severely that blood came out of his ear, and burn marks on his feet. He was tortured to death, and nobody is doing anything about it.

To add insult to injury, we are going to give the PLO \$500 million over the next 5 years. Now, I am for the peace process. But this kind of baloney has to stop, and so I say to the State Department and to the President and anybody else who has any authority over this peace process over there, we want a full accounting of this man's death and those who perpetrated this atrocity must be brought to justice.

If we do not get justice, then we ought to cut off that \$500 million in aid we are giving them. There should be severe conditions, in any event, put on that aid.

[From the Washington Post, Sept. 30, 1995]

AMERICAN DIES IN CUSTODY OF PALESTINIANS (By Barton Gellman)

EIN YABROUD, WEST BANK, Sept. 29.—A Palestinian American grocer on vacation from Dallas was returned dead to his wife and family here early today after about 36 hours in custody of security police in the Palestinian self-rule enclave of Jericho.

Members of his immediate family said Aram Mohammed Rabin Mosleh, 52, picked up for questioning Wednesday at an Ein Yabroud cafe by plainclothesmen who identified themselves as agents of Jericho's Preventive Security police. Mosleh was dressed only in trousers when his body was returned today at 2 a.m. His forehead was bruised blue, his lip was torn, blood had flowed from one ear, and there were what appeared to be burn marks on his right foot, according to family members who saw him.

Palestinian security officials, speaking on condition of anonymity, said Mosleh was overcome by the 98-degree weather in Jericho and had a heart attack. A doctor at Jericho's hospital, where Mosleh was dead on arrival, refused to issue a death certificate. The certificate would normally include a cause of death.

Mosleh is at least the fourth person—the first holding a U.S. passport—to die in suspicious circumstances in the hands of the Palestinian self-rule security establishment.

Although the time of death could not be pinned down precisely, Mosleh appears to have lost his life within hours of Thursday's White House appearance by Palestinian leader Yasser Arafat for the signing of an accord extending Palestinian rule in the West Bank. The Jericho forces are responsible to Arafat.

One American official said the U.S. consul general in Jerusalem would place "tremendous pressure" on the Jericho forces for an independent investigation into Mosleh's death, and said the FBI would take part, as it sometimes does in foreign cases involving Americans to establish if there was any political motivation against the United States.

"This will be an enormous embarrassment for Arafat in Washington," the official said.

A report last month by the Israeli human rights group B'T Selem found a "greatly disturbing picture" of "gross human rights violations" by the Jericho-based security police. Some of those interrogated and released have told of being beaten and tortured with electric prods, hit cigarettes and burning plastic.

John Barger, deputy consul general in Jerusalem, was said to be planning a trip to

Jericho on Saturday to meet with the chief of Palestinian forces there. He planned to ask about unconfirmed reports that another Palestinian American had been arrested with Mosleh and remained in custody.

This village near Ramallah, about 12 miles north of Jerusalem, has an unusually large number of American citizens. Many of the men, like Mosleh, live and work in the United States. They send money to their families here and return for one or two months a year.

Mosleh was no stranger to controversy. Two years ago, Israeli police arrested him on suspicion that he had killed two Palestinians in the West Bank. They held him eight months, according to U.S. diplomatic officials and Asid Mosleh, his oldest son. The Israelis released him without charge.

Mosleh then returned to Dallas, where he owns a grocery store. The business made him wealthy by the standards of Ein Yabroud, where he was nicknamed "the millionaire," the Associated Press reported. He arrived here for a visit last month at his fortress-like and palatial family * * *.

"Anybody can have a heart attack," said Wahid Hussein Mosleh's brother-in-law, who said the family did not want further trouble with Preventive Security.

Witnesses said Mosleh was playing cards at a village coffee shop when six men identifying themselves as Preventive Security agents approached his table Wednesday and invited Mosleh outside. They said they were investigating a theft of gold from his sister and asked him to come with them to Jericho.

When he did not return that night, his wife and two of his sons drove to Jericho on Thursday to ask about him. A Preventive Security agent twice told them to come back later, assuring them that Mosleh was there.

One their third trip another agent said Preventive Security knew nothing about Mosleh.

A preliminary investigation by U.S. diplomats suggested today that Mosleh was handed over by Preventive Security to the Mukhabarat. One Preventive Security representative told a U.S. field investigator that his service had obtained a "receipt" for the prisoner.

PLO VIOLATIONS OF THE PEACE ACCORDS

1. The PLO does not halt terrorist attacks by PLO members.
2. The PLO has not disciplined PLO members who engage in terrorism.
3. The PLO continues to preach hostile propaganda against Israel.
4. The PLO still has not changed the PLO Covenant, which denies Israel's right to exist and calls for its destruction.
5. The PLO has failed to urge Palestinian Arabs to reject anti-Israel Violence and terrorism.
6. The PLO has failed to honor Israel's requests for the extradition of terrorist suspects.
7. The PLO hires fugitive terrorists for its police force. (More than 20 fugitive terrorists have been hired by the PLO police force.)
8. The PLO has not adhered to the agreed upon limits concerning sovereignty issues.
9. The PLO fails to condemn terrorist attacks. (Between June and November 1994, there were at least 72 Arab terrorist attacks on Israelis. Arafat did not explicitly condemn any of these attacks.)
10. The PLO does not respect human rights in Gaza and Jericho.
11. The PLO operates in Jerusalem in direct violation of the accords.
12. The PLO fails to prevent incitement by organizations within its jurisdiction. It has not banned Hamas or Islamic Jihad.

IS THE PLO REALLY BROKE?

("The conglomeration of Palestinian movements under the umbrella of the Palestine Liberation Organization are the richest of all terrorist groups. It is estimated that they have worldwide assets approaching 10 billion U.S. dollars and an annual income of about 1½ to 2 billion U.S. dollars."—report by the United Kingdom's National Criminal Intelligence Service (NCIS)).

A FEW OF THE PLO'S HOLDINGS

The PLO has bank accounts around the world.

The PLO has a partnership in Nigeria Airways.

The PLO owns the duty-free shop at Nurata Mohammed International Airport in Lagos.

The PLO controls Air Zimbabwe.

The PLO controls Kenya Airways.

The PLO owns the duty-free shop at Jomo Kenyatta Airport in Nairobi.

In Nicaragua, 25% of the national airline Aeronica is PLO owned.

The PLO owns a substantial share of the duty-free store at Nicaragua's "Aeropuerto Internacional Las Mercedes."

Mr. Arafat, a billionaire, owns twelve homes and three airplanes.

PLO COMPLIANCE AND FINANCING

The Clinton administration is providing \$500 million to the PLO.

This funding has to be authorized by Congress.

The Senate, under pressure from the Clinton administration, is preparing a long-term authorization of this funding, with almost no strings attached.

This is a scandal of major proportions; as conservatives, we must do something to stop it.

According to the British National Criminal Intelligence Service [NCIS], the PLO is hiding assets of \$7 to \$10 billion.

The PLO is in major violation of their agreements with Israel—they continue to support terrorism. Arafat, in his speeches, continues to praise terrorists. The PLO refuses to hand murderers over to Israel, as they are obligated to do by the accords.

The PLO is misusing funds from foreign donors and is engaged in massive fraud. Authenticated documents proving that donor funds have been used for a host of illegal activities.

[From the Center for Security Policy, Sept. 27, 1995]

WE'RE "SHOCKED, SHOCKED": ARAFAT BITES THE HANDS TRYING TO FEED HIM \$500 MILLION IN U.S. FOREIGN AID

WASHINGTON, D.C.—In an extraordinary display of ingratitude, not to say intemperateness, Yasser Arafat's Palestinian Authority (PA) recently repudiated legislation aimed at ensuring its continued access to hundreds of millions in U.S. tax-dollars. On 23 September 1995, the PA's "Ministry of Information" issued a press release excoriating a legislative initiative sponsored by Sens. Jesse Helms and Claiborne Pell, the chairman and ranking member respectively of the Senate Foreign Relations Committee. The Helms-Pell legislation was adopted last week by the United States Senate as an amendment to the Fiscal Year 1996 Foreign Operations appropriations bill.

Without mentioning the amendment by name, the Palestinian Authority heaped vitriol on the preconditions imposed by the Helms-Pell amendment on further disbursement of the \$500 million that president Clinton pledged to Arafat two years ago. Its release declared, in part:

"The American decision to extend financial assistance to the Palestinian National

Authority contradicts any accepted practice. This decision that was taken while handcuffed (sic) with heavy chains of conditions. It is provocative and insulting to the Palestinian national feelings. The decision is a flagrant intrusion in internal Palestinian matters. . . . The American Congress has placed at the very heart of its conditions the closing of Palestinian institutions in Jerusalem and the cessation of support by the Palestinian National Authority for these institutions. This exposes the true face of American policy towards the Holy City, a policy that supports and assists further Jewish occupation of Jerusalem, its annexation to Israel and it further confirms Israel's claims that Jerusalem is its united, everlasting capital. . . .

" . . . The American Congress has relinquished the American role as a sponsor of the Declaration of Principles and declared its absolute partiality in the interest of the worst and most damaging of Israeli interpretations, by rushing ahead more than the Israelis themselves have done when they [members of Congress] demanded the canceling of some articles in the Palestinian National charter and when they demanded Palestinian co-operation with Israel in surrendering wanted Palestinian citizens to it despite the fact that this demand violates the signed agreements between the PLO and the government of Israel. . . ."

"The conditions that the American Congress demanded will not find anyone to respond to them. The members of Congress, who do not respect international legitimacy, will not need to wait six long months because the Palestinian people will not barter their rights for all the money in the world." (Emphasis added.)

ARAFAT NEVER PROMISED YOU A ROSE GARDEN

What makes you such vitriolic attacks particularly stunning is the fact that they are basically directed at two senior Senators who have gone to great lengths to protect the PLO/PA from the sort of real conditions that many Americans believe are in order. In light of Arafat's continuing support for terrorism against Israel, his failure to comply with other commitments under the Declaration of Principles and his diversion of international aid to personal and political purposes inimical to real peace, a powerful case can be made for denying any further distribution of the roughly \$350 million yet to be disbursed to the PA.

Congressional leaders, and Senator Helms in particular, have come under enormous pressure from the Clinton Administration, the Israeli government of Yitzhak Rabin and the American Israel Public Affairs Committee to keep the aid flowing to Arafat, such problems notwithstanding. In the end, Senator Helms was induced to set aside his instinctive—and well-founded—opposition to undisciplined foreign aid and to those who support international terrorism. Instead, he lent his name to a foreign aid bill for the PLO/PA whose conditions were deliberately crafted with sufficient ambiguity and/or loop-holes to meet with Arafat's approval and to allow hundreds of millions of additional tax-dollars go to his organizations.

THE BOTTOM LINE

The simple truth is that two years after the Oslo I agreements were signed, efforts to moderate Yasser Arafat's behavior through financial, political (and, in the case of Israel, territorial) concessions have not had the desired effect. Instead, such concessions in the face of continued Palestinian gangsterism appear only to have encouraged more of the same. For example, last week, even as the Congress was considering the Helms-Pell legislation, Arafat used interviews with the Egyptian and Jordanian press to affirm that

the Oslo agreements are implementing the notorious "plan to phases" adopted by the PLO in 1974. Phase I involves obtaining territory from Israel via negotiation; Phase II will use that territory to launch a final campaign for the destruction of Israel.

Fortunately, Congress has an alternative at hand to such appeasement. Legislation has been introduced in both the Senate and House that would mandate a complete cut-off of funding for the PLO/PA. This bill, known as the Middle East Peace Compliance Act and sponsored in the Senate by Sens. Alfonse D'Amato, Richard Shelby and Larry Graig and in the House by Reps. Michael Forbes, Jim Saxton and Tom DeLay, would allow continued aid to go toward legitimate, monitorable and private humanitarian projects in Palestinian-controlled areas—provided the PLO honors its commitments.

The Center for Security Policy urges Senator Helms and others affronted by Yasser Arafat's imperiousness to substitute the real conditions called for by the D'Amato-Forbes bill for the ersatz conditions of the Helms-Pell legislation. As the attached op.ed by Center for Security Policy director Frank J. Gaffney, Jr. published in today's Newsday makes clear, Israel is not the only nation with stake in the quality of such conditionality. America's not vital interests dictate that the United States must make every effort to avoid rewarding PLO support for terrorism and other non-compliance.

FIRE PREVENTION WEEK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from West Virginia [Mr. WISE] is recognized for 5 minutes.

Mr. WISE. Mr. Speaker, I rise today at the Nation celebrates Fire Prevention Week to speak about a fire cause that affects every American no matter where they live. I am referring to the act of arson.

The United States Fire Administration's Annual Report to Congress states that in 1994 arson continued to be the second leading cause of fire deaths in residences and the leading cause of dollar loss from fire. Each year 1,000 people die from an estimated 332,000 arson fires. Direct property loss is in excess of \$1.6 billion. Since 1984 arson fire deaths have increased 33 percent.

Unfortunately, West Virginians were not spared from the scourge of arson. That same report indicated that 18.4 percent of all reported fires in West Virginia were caused by arson, with losses exceeding \$1.6 million.

As a member of the Congressional Fire Services Caucus, I was proud to support the Arson Prevention Act of 1994 which passed the 103d Congress and was signed into law by President Clinton. This legislation enable States to conduct meaningful programs to combat arson.

During Fire Prevention Week we must pause to consider how all of us, not just the fire service, can work toward making all Americans safer from the ravages of fire.

The American people should be enraged about the tragic cost to lives and property from this preventable cause of fire.

I am pleased to report, Mr. Speaker, that the International Association of Arson Investigators is working tirelessly to combat this crime in all its forms. I am especially proud of the West Virginian Chapter of the International Association of Arson Investigators. This dedicated group provides training to police, fire, and insurance investigators on how to better detect arson in our state. They also work to educate our citizens about how arson hurts everyone.

Let us then pause, Mr. Speaker, during Fire Prevention Week to honor all those men and women dedicated to fighting the war against arson and urge all Americans to support their efforts.

TAXES AND MEDICARE

Mr. Speaker, turning to another topic, I would like to talk a little bit about taxes and the sleeper issue that is coming up in the next couple of weeks.

What I want to do is to talk about we hear a lot about Medicare and Medicaid, but it is taxes that are also very important for West Virginians, where we are finding out more and more as we analyze the budget proposals that will be coming in the next couple of weeks in the Republican leadership's proposals. We are seeing there is a tax increase for thousands of working West Virginia families, middle-income and lower-income working families.

First, Mr. Speaker, it may be difficult for you to see this chart, but if you look, what this says is who benefits from the GOP tax cut. That is my first chart. If you can see the red, the red says that people, and this is people earning over \$100,000 or more, this is the percentage that they get from the tax cut where they get over 52 percent of the tax cut that goes to those earning over \$100,000 or more. The little blue sliver are those people earning \$30,000 or less. Those people, incidentally, get 3 percent of the benefits of the tax package. So these are the folks over \$100,000 a year, they get 52 percent of the total package; \$30,000 or below, they get 3 percent.

Now let us flip it and see what happens to West Virginia taxpayers. Here we have the people making the blue portion, the people making \$30,000 or less comprise 68 percent of our State's population. So this blue portion, which is almost 70 percent of our State's population, gets less, gets about 3 percent of the total tax package. This little red sliver, and I know you probably cannot see it because it is almost infinitesimal, that is the 1.5 percent in our State that earn over \$100,000 a year. Mr. Speaker, they are going to get 52 percent of the tax package. It is totally skewed, as you can see.

Mr. Speaker, I would also point out that because of the rollbacks in the earned income tax credit that goes to working families under \$24,000 a year, that in West Virginia someone making under \$10,000 a year, basically working at minimum wage, will actually see a

\$9 increase in their taxes while someone earning over \$100,000 a year will see a \$2,400 tax cut. That certainly seems to me not to be equitable, not to reward work, not to try and get money to the middle income that I think everybody agrees has been the group most strapped.

I hope these changes certainly can be addressed.

MEDICARE PRESERVATION ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota [Mr. RAMSTAD] is recognized for 5 minutes.

Mr. RAMSTAD. Mr. Speaker, today our House Committee on Ways and Means passed the Medicare Preservation Act to save Medicare, to keep the Medicare system solvent until the year 2010 and to let seniors have more choices in health care plans.

Our legislation keeps Medicare solvent, as I said, and lets seniors stay in the current fee-for-service system or choose a HMO, a preferred provider network or a medical savings account.

Why should seniors not have the same choices in health care that every other American has?

Mr. Speaker, also it is important to point out that this legislation increases Medicare spending about 6.5 percent a year, which means the average Medicare beneficiary will receive \$4,800 this year and \$6,700 in the year 2002.

The point I want to make tonight, Mr. Speaker, is that this legislation guarantees, guarantees that none of the Medicare savings will go for tax cuts. They will go into a lockbox to be used only to maintain the long-term solvency of Medicare.

Mr. Speaker, I ask that this article, this opinion piece by the well-respected economist, Robert Samuelson, which was published in today's Washington Post, be made part of the RECORD.

Economist Samuelson points out in this piece in today's Post, and I am quoting now, "Democrats cast Republicans as cutting everything from Medicare to college loans to pay for a tax cut for the rich. That is untrue." That is Mr. Samuelson's words.

To continue "To listen to the Democrats, you would think that every spending cut is needed to provide a tax cut for the rich. They say that Medicare is being cut to help the wealthy, to provide a tax cut for the rich." Mr. Samuelson goes on to say, "Perhaps this makes good rhetoric, but it flunks first-grade arithmetic."

Let me continue reading from this column: "In the Republican budget, spending is cut \$900 billion over the next 7 years. This is in the total budget. That is nearly 4 times the size of the tax cuts." Mr. Samuelson goes on to say: "The Democrats are double, triple, and quadruple counting spending cuts as an offset to the tax reduction. Even a 1-to-1 count, that is, \$250 billion in spending cuts for \$245 billion in tax

cuts, is a stretch," and then Mr. Samuelson goes on to explain in an academic, analytical, truthful way what we are doing.

□ 1930

He explains that under the congressional budget resolution, the Republicans cannot enact a tax cut until the Congressional Budget Office certifies that our plan would balance the budget by the year 2002. Once that happens, the CBO assumes that interest rates will drop and economic growth will increase. In turn, these changes improve the budget balance by \$170 billion between now and the year 2002.

So from the balanced budget that we are putting forth here in Congress, interest rates will drop, economic growth will increase to the tune of \$170 billion, and in these extra savings will the tax cut be paid.

At least 70 percent of it will be paid from growth in the economy. So I think, Mr. Speaker, it is important that we get to the facts and the truth in talking about what we are doing with respect to Medicare. Nobody is cutting Medicare to provide any tax breaks whatsoever. What we are doing is balancing the budget in a responsible way. We have already provided for the tax cuts in today's legislation. To preserve Medicare is a big step forward, not only for the seniors of this country, but for future generations as well.

Mr. Speaker, I include for the RECORD the article quoted from.

[From the Washington Post, October 11, 1995]

BUDGETARY BOMBAST

(By Robert J. Samuelson)

The tax debate is a triumph of political rhetoric over common sense. Republicans and Democrats alike portray the Republicans' proposed tax cuts—\$245 billion between 1996 and 2002—as bigger and more important than they are. Each side has its reasons. Republicans say they're providing major tax relief for most ordinary Americans. Not true. Democrats cast Republicans as savagely cutting everything from Medicare to college loans to pay for "a tax cut for the rich." That, too, is untrue.

Just for the record, reject both the Republican tax cuts and the Democrats' critique. Lower taxes, in my view, shouldn't come until the budget is balanced. People should feel the price of government: taxes paid for services received. When the two are split, government becomes lax, because the price of more government is falsely seen as zero. But we are far beyond such a principled debate. Even Democrats advocate tax cuts, arguing that their plan is fairer. The debate gushes partisan clichés.

Start with Republican myths. The \$245 billion sounds like a huge tax cut. It isn't. Recall that it occurs over seven years. In this period, the Congressional Budget Office estimates that federal taxes (before the cut) will total \$12.8 trillion. The \$245 billion cut is about 1.9 percent of that. Of course, some people will get more. The plan's centerpiece is a \$500 tax credit for every dependent child. A family with moderate income (up to say \$40,000 to \$50,000) and two children would receive a noticeable tax cut.

But about half of families have no children, and nearly 30 percent of households are singles. Even for higher-income families with children, the effect of the child tax

credit would fade. (In 1994 a two-parent family with two children and \$75,000 of income paid about \$15,000 to \$16,000 in federal taxes.) And the rest of the tax cut—Congress is still working on details—is splintered among many, highly symbolic reductions.

Consider the most controversial proposal: a capital gains tax cut. Capital gains are profits from the sale of stocks, bonds and other assets. Now, these profits are taxed at a maximum of 28 percent. The House Republicans would reduce that to 19.8 percent, arguing that a lower rate would spur investment and risk-taking. Gee, there's already an investment boom, with ample risk-taking. The present capital gains tax isn't a major obstacle. A reduction would mostly benefit wealthier Americans by increasing their profits from the sale of existing stocks and bonds.

Although the Republican myths are outrageous, the Democratic myths are worse. To listen to Democrats, you'd think that every spending cut is needed to provide a "tax cut for the rich." Medicare is being cut to help the wealthy: so are Medicaid, the school lunch program and welfare. The litany is endless. Perhaps this makes good rhetoric, but it flunks first-grade arithmetic.

In the Republican budget, spending is cut about \$900 billion between 1996 and 2002 from the levels under present law. That's about 6.2 percent of what the CBO reckons would be spent and nearly four times the size of the tax cut. The Democrats are double, triple and quadruple counting spending cuts as an offset to the tax reduction. Even a one-for-one count (\$245 billion of spending cuts for \$245 billion of tax cuts) is a stretch. Here's why.

Under the congressional budget resolution, the Republicans can't enact a tax cut until the CBO certifies that their plan would balance the budget by 2002. Once that happens, the CBO assumes that interest rates will drop and economic growth will increase. In turn, these changes further improve the budget balance by about \$170 billion between now and 2002. It is these extra savings that, in theory, mainly finance the Republican tax cut. They account for about 70 percent of the total.

The point is that—without a huge tax increase, that almost no one favors—the Republican spending cuts are needed simply to balance the budget. If the Democrats don't want to balance the budget, they should say so. If they have \$900 billion of other spending cuts, they should say so. But their endless carping about the "tax cut for the rich" merely disguises their own unwillingness to confront the budget deficits. Republicans have made some unpopular choices about government; Democrats have not.

It is not that Republican choices are beyond criticism. Their plan to curb the Earned Income Tax Credit, which provides tax relief for the working poor, is mean and would shrink the net tax cut substantially. But the tax cut is not mainly a giveaway to the rich. Its effects are spread along the income distribution. Even if it were approved, the well-to-do would continue to pay most federal taxes. In 1994 the richest fifth of Americans (a group that begins at about \$75,000 of family income) paid 59 percent of federal taxes.

The trouble with the Republican plan is that it has warped the budget debate. Democrats have succeeded, temporarily at least, in turning it into an old-fashioned argument about class, when it ought to be about redefining the role of government. There are legitimate disagreements here, and they ought to be aired. But it is not true—as Democrats imply—that the whole process is being driven by a crass desire to aid the wealthy.

Ideally, Republicans would postpone tax cuts. Congress should discipline itself and

see if a projected balanced budget actually occurs. The prospect of future tax cuts would also dampen the temptation to undo some spending cuts. But the Republicans aren't likely to delay the tax cut, in part because they fear that doing so would trigger a voter backlash. This could be true, despite polls showing that tax cuts rank behind deficit reduction in popularity. Americans are so cynical about politics that they'll seize almost any reason to vindicate their cynicism.

But there is a next-best policy: strip the tax cut to its bare political minimum, the child tax credit. The cost would drop sharply (to about \$163 billion over seven years, which is almost exactly the size of CBO's expected "dividend" from balancing the budget). And it would be much harder to attack as a giveaway to the rich. The result would be to refocus the budget debate where it belongs: on what government should—and shouldn't—do.

FACTS BEING OVERLOOKED ON PROPOSED TAX CUT

The SPEAKER pro tempore (Mr. FOX of Pennsylvania). Under a previous order of the House, the gentleman from Tennessee [Mr. DUNCAN] is recognized for 5 minutes.

Mr. DUNCAN. Mr. Speaker, there has been so much talk lately about the proposed \$245 billion tax cut that some key facts are being overlooked or lost in all the political rhetoric.

First, this is not an all-at-once cut. It is spread over 7 years. This comes out to \$35 billion per year. This amounts to slightly less than 2 percent of Federal spending over this period. Federal spending has gone up almost 300 percent since 1980. The first Reagan budget was \$581 billion. We are at a figure almost triple that now, and will be at more than triple that during this 7-year budget period; in other words, a 300 percent increase in Federal spending in the last 15 years, while inflation during that time has averaged about 3 percent a year, or roughly 45 to 50 percent over that period.

Federal spending, in other words, Mr. Speaker, has increased at a rate roughly six times the rate of inflation over this period. Surely it is not asking too much for Federal bureaucrats to give back 2 percent a year when they have had such whopping increases, and an almost 300 percent increase over the last 15 years.

Federal taxes now take almost half of the average person's income. We are talking about the average person here, not the wealthy, but almost half of the average person's income when you consider taxes of all types: Federal, State, local, sales, property, income, gas, excise, Social Security, and so forth. When you consider the indirect taxes that we all pay in the form of higher prices because corporations do not pay any taxes, they have to pass their taxes on to the consumer in the form of higher prices for shirts, tires, shoes, food or everything that we buy.

Second, most of this proposed tax increase, over 70 percent, would go to people making less than \$50,000 per year. Somehow we never hear about that.

Third, one of our leaders, the gentleman from Texas [Mr. ARMEY], has proposed a flat tax which would totally exclude all income under \$38,000 for a married couple and \$26,000 for a single person. In other words, most of the people I represent would be totally excluded from Federal income taxes. They would still have to pay other taxes, but what this really means is that the position of most Republicans is that we would exclude lower income people from Federal income taxes altogether. Somehow, we never hear about that either.

Now, I voted for the \$245 billion tax cut, this 2 percent tax cut. But I also happen to be one of 10 Republicans who voted for a so-called compromise budget which would have put off any tax cut until we get the budget balanced. I am willing to accept less, but we should not exaggerate this \$245 billion tax cut all out of proportion just for partisan political purposes. We should not constantly call this a tax cut for the wealthy, when by far the majority of it goes to middle and lower income citizens.

Our very biased national media is reporting this tax cut in a very biased, very unfair manner. I believe the people of this country know better how to spend their money, far better how to spend their own money, than the bureaucrats in Washington do. I know, too, that even with this proposed 2 percent tax cut, the Federal Government would still be spending over \$1.6 trillion, rising to almost \$2 trillion over this next 7 years, even if we pass this very modest 2 percent tax cut.

The choice is simple: Are we going to side with the ordinary, hard working people and give them back 2 percent of their money, or are we going to side with the bureaucrats and say you really do not have to tighten your belts. You have had just a 300 percent increase over the last 15 years, but apparently that is not enough.

Despite the lies, despite the demagoguery, despite the distortions, despite all the propaganda, I believe the people still want us to cut spending and cut taxes and give some of their money, their hard earned money, back to them.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee [Mr. BRYANT] is recognized for 5 minutes.

[Mr. BRYANT of Tennessee addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

MEDICARE REFORM MUST BE BIPARTISAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Ms. JACKSON-LEE] is recognized for 5 minutes.

Ms. JACKSON-LEE. Mr. Speaker, the Ways and Means Committee has finally

completed marking up the Republican Medicare reform bill which has had no wide-spread review by all of those to be impacted by such drastic legislation. And as demonstrated throughout this saga, my Republican colleagues have shown a propensity for distorting the truth and stretching the facts. As evidence, I submit the following:

At the beginning of debate, Democrats protested that the Republican majority had delivered a new version of the bill with nine pages of revisions in the morning and had not explained them.

The changes proposed include a stipulation that any savings must be used to shore up the Medicare System, but this has been attacked by critics, as budget gimmickery because much of the Medicare revenues likely can still be tapped for other budget needs, under their plan.

It was brought to the attention of the Nation and the committee that a letter from Health Care Financing Administration head Bruce Vladeck claims the Republican proposal and the Democrats' cutting \$270 billion dollars from Medicare plan to reduce Medicare spending by \$90 billion over the same timeframe, both would extend the ailing Medicare trust fund to exactly the same date—2006. The question then is why this enormous cut by the Republicans is required.

Ways and Means Committee counsel Charles Kahn conceded during the markup that because of a bill passed by the House earlier this year rescinding a tax under which proceeds were earmarked for the Medicare trust fund, the net Republican savings would extend the life of the trust fund to only 2006, rather than 2010 as the Republicans have been claiming.

The committee's Democratic members unveiled a substitute consensus bill. It would continue to beef up the anti-fraud and abuse efforts, revise the way Medicare pays for graduate medical education, and create new Medicare benefits to pay for increased mammography screening, screening for colorectal cancer, and supplies for diabetics. Republicans rejected separate amendments to include the new benefits.

An amendment by Representative RANGEL to provide tax credits to primary care doctors and other health professionals who agree to serve patients in areas with a shortage of medical personnel was offered in a good faith effort to insure good health care for all Americans.

Medicare can be reformed in a bipartisan manner. Where are my Republican colleagues to join me in this effort. Do not destroy Medicare!

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado [Mr. MCINNIS] is recognized for 5 minutes.

[Mr. MCINNIS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

TRIBUTE TO THE FIREFIGHTERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Alabama [Mr. BEVILL] is recognized for 5 minutes.

Mr. BEVILL. Mr. Speaker, I rise today to pay tribute during National Fire Prevention Week to all the firefighters who do such an outstanding job protecting their communities. They are dedicated professionals working a dangerous job which requires them to put their own lives on the line while saving others. They are true heroes and we certainly appreciate and respect all of them.

I especially want to recognize the volunteer firefighters who work to protect the rural areas where they live. They face unique challenges and risks in protecting large areas. Frequently, they must deal with a lack of equipment, inadequate water supply and not enough well-trained volunteer firefighters.

As you know, a majority of rural fire departments say that improving the water supply is one of their highest priorities. Studies show that residents living in communities with populations of 5,000 or less are almost twice as likely to die in a house fire than residents in communities of 5,000 or more. Compared to city dwellers, rural homeowners suffer more than twice the property loss from fire each year. It is a major challenge for small communities to provide fire protection for area residents, farms and forests and lack of adequate water supply is one of the main reasons.

As we recognize National Fire Prevention Week, we should look for ways at the local, State and Federal level to strengthen the capabilities of our rural volunteer fire departments.

All levels of government must cooperate to help provide essential rural fire protection.

And, as citizens, we must work together to try to reduce the number of fires our firefighters must deal with. As you know, common sense and personal responsibility can go a long way toward the prevention of fires.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Texas, (Mr. SAM JOHNSON,) is recognized for 5 minutes.

[Mr. SAM JOHNSON of Texas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut [Mr. SHAYS] is recognized for 5 minutes.

[Mr. SHAYS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut [Mr. FRANKS] is recognized for 5 minutes.

[Mr. FRANKS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

SAVING MEDICARE

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentlewoman from California [Mrs. SEASTRAND] is recognized for 60 minutes as the designee of the majority leader.

Mrs. SEASTRAND. Mr. Speaker, there is good news today. We heard one of the earlier gentlemen tell us that the Committee on Ways and Means voted out our Medicare Preservation Act bill. We are on our way to strengthening and protecting and preserving Medicare.

Besides that good news, one of my colleagues, Mr. SAM JOHNSON, celebrated his 65th birthday today. I know the members of the Committee on Ways and Means congratulated him, and he has come of age now. He is old enough to join millions of other Americans who are on Medicare. I just know that he has not been scared off by many of the criticisms, the things we read about in the headlines and newspaper and we see on television, about attempts that are planned, that the Medicare Preservation Act is heartless and uncaring and so on. The Committee on Ways and Means presented a check for \$4,800 to Mr. JOHNSON. I know he will not be cashing it tomorrow. The point is to let not only he know, but other senior citizens in America today who are also celebrating their birthday with Mr. JOHNSON today, that Medicare is going to be there for them.

That is how much we are going to spend this year alone in Medicare, \$4,800. The good news is in our plan we are going to increase that over the next 7 years to \$6,700. Only can you be in Washington, DC, and so often hear about how we are cutting Medicare, when this is actually an increase.

So what I say to my colleague, Mr. JOHNSON, is happy birthday, and I know that, as I said, we are on our way to preserving and protecting Medicare.

I am going to enter into a conversation with my friend, the gentleman from Minnesota [Mr. GUTKNECHT]. The gentleman also, as I am, is one of those reform-minded freshmen. We came to this House with such hopes and dreams, and we are just plugging away, are we not?

But it is interesting. I was here a few months, and on my desk I found a report in April from the Social Security and Medicare Board of Trustees. I read it, and it said, "If you, Congress," now that is me, I cannot pass the buck, that is me, "if you do not do something about this, we are going to see Medicare go broke."

It is going bankrupt now. I would just like to tell people that I am 54 years old, so I have an interest in this program continuing. My mom is 83. She is probably not going to appreciate my saying that to everyone in the

world today, but she is soon to be 84, come this December. She is a Medicare recipient, and she has those concerns, like many of her friends and many of my friends who are at that age and are concerned about costs of health care and such.

So I remember hearing from my mom when she heard the news on television and reading the headlines, "What are you going to do about this?" So I have been talking to her.

The point I wanted to make about being one of those freshmen, my point is to come here and not be part of the problem that we seem to have had for so many years. Obviously many voters also consider there was gridlock in this House. They wanted to see something done. "Do it, do it now." So I have been doing my best, as well as my colleague, to see to it that we do have some solutions to the problems.

I think my concern over the last several months, whether I go to my town hall meetings or my senior conferences, or as I visited health care facilities, nursing homes convalescent homes, from one end of my district, which incidentally, includes the central coast of California, from Santa Barbara to Paso Robles in the north, it is a very large area, and people are concerned that we are going to do something about it.

So I am hoping as we continue this conversation, we saw the first step taken today to move this legislation through the Committee on Ways and Means, and I hope we can all come together to solve the problem, to preserve and protect it, and put aside all of the rhetoric that we hear, and to assure my 83-year-old mom and her friends and all those people I saw in those health care facilities that are utilizing Medicare right now, that we are going to be there for them and to take the rhetoric out of the situation.

So I would like to ask the gentleman from Minnesota [Mr. GUTKNECHT] if that is what he is hearing from his people? I think we see people, wondering if we are going to do it, "are they really going to reform Medicare?" Some of the other situations, are we going to balance that budget in 7 years, are we going to reform welfare, are we going to give tax relief to our middle-income families?

That is what I am hearing. And they are looking to us, and I am anxious to get on with the situation of passing the legislation and having the discussion with the American people.

Mr. GUTKNECHT. Mr. Speaker, I thank the gentlewoman from California. I would just like to say first and foremost, not only are we both freshmen, but I think we both have parents, and parents are both on the Medicare system. They are concerned. And I am concerned as a good son. I want to make certain that my parents get the health care that they need.

But I think also, I come at this also not only as a freshman and as someone who has parents who are on the Medicare system, but I come at this also as

a parent of teenagers. So there is a generational responsibility I think we have, not only to our parents, but I think we have a responsibility, and a special responsibility, to our kids. For too long here in Washington, politics as usual was "Well, we will try to patch it over and get past the next election, and then we will worry about it and really solve the problem."

I think the message of last November was that "politics as usual" just is not getting the job done. They wanted people to come to Washington and really look at the problem; take off the partisan glasses, if you will, and look at the problem, and try to come up with solutions that will really solve it long-term, so that we save the Medicare system, for example. Not just to get through the next election, but so that we save the Medicare system for the next generation.

I think that is the charge we were given, and I think up to this point, we have responded appropriately.

Let me just read, if I could, a couple of quotes from that report that you alluded to earlier. This has been said before, but I do not think it can be said too often. The trustees said, "Under all sets of assumptions, the trust fund is projected to become exhausted even before the major demographic shift begins."

What that means is the program is going to go bankrupt even before the baby boomers start to retire. That was what they said on page 3.

They went on to say on page 13, "The fact that exhaustion would occur under a broad range of future economic conditions and is expected to occur in the relatively near future indicates the urgency of addressing the HI fund's financial imbalance."

In other words, we have got a serious problem and we need to get busy now about solving it. And the longer Congress waits, the more they sit and twiddle their thumbs and play politics as usual, the worse the problem will become.

To their credit, I think our leadership here in the House and in the Senate have had something like 36 different hearings, talking about the problem and how we got to where we are. In my district, for example, I have had 33 town hall meetings. I do not know about in your district.

Mrs. SEASTRAND. I have had 30 meetings, a senior citizen conference, and one big Medicare briefing at a hospital that brought in 400 people. So we have all been out in the hinterlands talking to our constituents.

I do not know about you, but I find many people are in the state of denial. It was interesting, just other day an editorial in one of my local papers suggested "Let's just raise taxes and take care of the situation. Why are we worried about this and concerning our seniors and everyone else?"

I would just like to remind people, and I can tell you, I am going to be putting in a letter to the editor in re-

buttal to that editorial, that that has been done before. Not too long ago we raised taxes. We can raise taxes until we are blue in the face. Yet the system is broken. It needs to be fixed.

I think this is the important point that we need to get to, the message to our seniors. I do not know about the gentleman, but I found the more people are in opposition to the situation, they are not really understanding what our program is. I think as we talk to people more and more about our program, they seem to say "Well, wait a minute. That isn't what I am reading in the headlines of the newspaper."

I think as we educate people to the situation of what our plan means, Medicare Plus, that we want to give choices, we are going to give increases, I think we are going to take the fears out of our moms and dads. And the gentleman mentioned he has teenagers. I have a 23 and a 25 year old. They are concerned about what the future means. So it is all a matter of education and talking, as we are doing here today, reaching out in our communities, at the town hall meetings, Medicare policy briefings, visiting the nursing homes, as I said before, and trying to get our message out.

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Mr. GUTKNECHT. If I could just join this here, because I really do think the gentlewoman has hit on a very important point, and that is that long-term I believe the facts are our friends. I think the more people get to understand the facts of what we are talking about in terms of where we are now and how we got to where we are now, and the reforms that we are talking about, I think the more people understand the facts of the situation, and I have found in my town meetings where people begin to understand the direction that we are going, we have found less and less resistance and people begin to appreciate it.

When we talk, for example, about what has happened back in Minnesota, where on the public sector side when you are talking about Medicare or Medicaid or medical assistance, we have been seeing, and last year I think we saw in the State of Minnesota about a 10.4 percent inflation rate when you are talking about the public sector side on Medicare and Medicaid and medical assistance. The inflation rate on that side of the equation has been about 10.4 percent. On the private sector side, where they have used managed care and competitive forces and created markets, it has been running 1.1 percent.

Mrs. SEASTRAND. Innovative ideas.

Mr. GUTKNECHT. We have seen inflation rates running 1.1 percent. It does not take a Fulbright scholar or a genius to figure out why can we not steal some of those ideas that are working so well in the private sector to control cost, and still provide people with the health care they need and want. Why can we not steal those ideas

and apply them to Medicare and Medicaid?

We have been joined by our colleague, the gentleman from Georgia [Mr. KINGSTON]. I wonder if he would like to join us in this colloquy.

Mr. KINGSTON. I would love to. I think that I am touching bases on what the gentleman is saying. When we are increasing the spending per recipient from \$4,800 to \$6,700, we are clearly not cutting. But what we are doing is ending "politics as usual."

I am honored to be on the floor with the two freshmen Members, who have so much energy and vibrance and have brought so much reform to this body. But the one message of the freshman class has been this is not politics as usual. They are going to be realistic and they will address the trustees' report by the Clinton administration that says Medicare is going to be bankrupt in seven years.

In doing this, the freshman class, along with the leadership, has worked for a long-term practical solution, a solution that offers choice of physicians, that offers simplified language.

I heard you speaking earlier about grandpa and so forth. I used to sell commercial insurance. I can say that one of the biggest problems people have with insurance, Medicare and so forth, is they cannot understand that stuff. To move towards simplified language and a clear choice of doctors, to move towards the clear choice of the different plans, if we want to get into a health maintenance organization, if we want to keep traditional Medicare, if we want to keep an insured private sector type plan, to have those options, I believe, is what our seniors want. But the long-term solution, to put Medicare on a solid basis once again, is the key to guaranteeing that it will survive.

Mrs. SEASTRAND. Mr. Speaker, it is interesting. If we do not reform Medicare, payroll taxes will have to be doubled by the year 2020 to avoid bankruptcy. I know on the central coast of California, basically our economic basis is built on small businesses. This will just be devastating to them. They are having troubles now with regulations, taxes and such, and if we follow what that editorial said in my local paper of "just raise taxes," this is going to be a burden on our small businessmen and such.

It is interesting that we have talked earlier about misinformation out there, what is in the headlines and newspapers, the ads, and so on. It was interesting because, especially last week, there was a real attempt nationwide to have advertising on television. I know many of my colleagues call it MediScare.

Here we are, we are talking about our plan, we have options for people, choices. We are going to increase the dollars for spending over the next seven years and we are offering the choices, as I said, and we will talk more about that later, about the kind

of options they are going to have, yet it was interesting to see the campaign.

What was interesting to me was to see that many of these organizations that were paying for the "attack ads," as I call them, to scare our seniors, they were paid with our own Federal tax dollars. Groups that file their IRS forms, and we find out that they receive grants from the Federal Government. Taxpayers out there, those small businessmen and women I talked about, that if we do not reform Medicare, here they are through the back door giving these organizations dollars to go in a back door with advertising condemning a program and using MediScare. They are saying that seniors will not have choices. They said we are cutting Medicare.

So I think, again, as a freshman who wants to do something about it, people are tired of this, and once we get beyond the scaring, and talking to people and educating them as to what our plan is, people will be with us, our seniors and such.

Mr. KINGSTON. If the gentlewoman would yield, one of the things that the Medicare reform plan does do is crack down on fraud and abuse, seriously attacking it, even to the extent that would allow seniors to have a financial incentive for reporting fraud and abuse.

What I hear at my town meetings, and I am sure others have as well, is that people are going to the hospital for one thing and then getting bills for services that they never even came close to receiving. Frequently it is picked up by an auditor, but often people say, "Don't worry about it. Medicare is paying for it." Yet that is right out of your pocket.

The gentlewoman had mentioned some of these taxpayer-funded groups fighting Medicare reform, fighting for the status quo, fighting for a program that will go bankrupt in 7 years. I believe that is an example of the waste and abuse of our system. If they are going to use their money, their Federal grant money for political purposes, and, as you know, there are 40,000 organizations that receive over \$39 billion a year in grants and funding from the Federal Government without even opening their books, if they are going to do that, then they should, I think, certainly participate in it by opening up their books for public inspection, because they are wasting it.

Ms. PELOSI. If the gentlewoman would yield, just on that point, because obviously we have differing views on your version of the story in terms of Medicare. Is the gentleman stating that there are people out there using taxpayer dollars that they receive from grants for purposes other than what those grants were designated for?

Mr. KINGSTON. Well, I believe the gentlewoman knows the situation of one group.

Ms. PELOSI. I know that that is against the law.

Mr. KINGSTON. Mr. Speaker, there is one group that received 97 percent of

its budget from Federal taxpayers and spent \$405,000 financing candidates for Congress.

Ms. PELOSI. Mr. Speaker, Is the gentleman saying they are using taxpayer dollars to do that?

Mr. KINGSTON. Ninety-seven percent.

Ms. PELOSI. No, no, are you saying they used taxpayer dollars to do that?

Mr. KINGSTON. Ninety-seven percent of their budget comes from the taxpayer, and they turned around and spent \$405,000 on PAC contributions to political candidates. So I would say that if it was the case that not just the letter but the spirit of the law of not using tax dollars for political purposes, if that law was being followed, then we would not have that problem. What I would also wonder is that since it is already illegal for groups to use tax dollars for political purposes, I am confused why we do not have bipartisan support for the Istook amendment.

Mr. GUTKNECHT. Mr. Speaker, I want to join in on this particular discussion. We do not know, as a matter of fact, whether or not any Federal laws have been violated and I would give the administration the benefit of the doubt. But if in fact, the facts that we do know to be true, that they did in fact give over \$400,000 to political candidates, if in fact their tax returns were correct, which we have now seen and they have received over 96 percent of their funding from Federal taxpayers, then in fact I think, yes, they probably were in violation of Federal law. They should be investigated. There ought to be some prosecution of those people.

That is the kind of thing that either the law is not clear enough, which is why the Istook amendment is here to try to clarify that, or the enforcement is lax. But, clearly, what the taxpayers do not want to have to do is to watch groups receiving large amounts of Federal tax money turning around and using that money either to directly lobby the United States Congress or to otherwise try to affect events, buying advertising to affect what is happening in the public arena. All we do know is that they received a huge amount of Federal money and they are in fact actively out there lobbying, and they have actually set up a PAC and contributed over \$400,000 to Congressional candidates.

Ms. PELOSI. Mr. Speaker, the gentleman from Georgia knows I regard him as a gentleman, and just hearing him say that these people may be in violation of the law because they receive X amount of dollars and they give out X amount of dollars, I think we want the Record to be clear that he is not saying that they are in violation of the law, because we all know that anyone who gets grant money from the Federal Government cannot use one penny of that money for lobbying the Federal Government or for any PAC contributions.

If the gentleman is saying that anyone who gets a grant from the Federal

Government should not use other money to lobby the government or other money to make PAC contributions, then the gentleman would hopefully apply that to defense contractors and others who receive huge amounts of money from the Federal Government.

Mr. KINGSTON. As the gentlewoman from California knows, as a distinguished and a very good member of the Committee on Appropriations knows, so often as members of that committee we get lobbied by people who have, in fact, come to Washington for the purpose of lobbying for more money and, quite often, on taxpayer dollars in the name of a conference.

So I would say that there is plenty of murky water in there as we try to verify this. Perhaps some of the wording in the Istook amendment is not perfect. However, certainly what the Istook amendment is trying to accomplish is something that we all need to deal with as we get lobbied, particularly members of the Committee on Appropriations, by governmental and quasi-governmental groups.

I also wanted to point out to the gentlewoman, I have offered an amendment that exempts what I hope would be small-fry groups; for example, historical associations, small art museums, symphony groups and theater groups, who spend actually less than \$25,000 a year on government-related lobbying or information campaigns, as the case may be, however you want to call it, because I need the input from my homeless shelter and I need the input from my historical association, and so forth. But I know that their members do not want to think of them spending over \$25,000 a year on Washington quasi-lobbying conferences and that sort of thing.

I believe the amendment that I have offered in the Subcommittee on Treasury-Postal Subcommittee on Treasury-Postal conference committee is a step to help strengthen that, and I hope because of that we can get some bipartisan support.

Mrs. SEASTRAND. Mr. Speaker, I think this is an issue that will be discussed more and more on the floor of this House, and it is interesting, I have here a report of some six or seven organizations that receive nearly \$80 million in Federal funding between July 1993 and June 1994. The question is are they using this for their operating expenses or are they using it for lobbying.

I understand what the gentlewoman from California is saying, but I will tell my colleagues, the taxpayers that are in my central coast of California look at this, scratch their head and say what is wrong here, because it is coming out of a pocket and whether it is used and legal or not, they want to see this type of thing stopped. When they see an organization getting 96 percent of their entire budget from the Federal Government and still turning around

and lobbying against reforms, and so on, they are asking questions.

Mr. Speaker, the gentleman from Minnesota had a few comments to make.

Mr. GUTKNECHT. I want to get back and talk about Medicare, but in terms of this one particular organization it is hard, I think, it is a long stretch of the imagination to say that an organization can receive less than 4 percent of its gross revenues from nongovernment sources and not be almost an arm of the Federal Government.

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And then to be actively involved in the activities that at least we believe and have been alleged that they have been involved with, I think raises serious questions. As I say, I am willing to give the Attorney General the benefit of the doubt. I assume that they are investigating. We believe that they should investigate.

I agree with you, if that is true, it is illegal and it should be stopped. But it clearly is not clear in terms of the law today, and we want to see it stopped. I think all Americans want to see it stopped, because I think it is a heresy to think that taxpayers' dollars can be used to lobby for more taxpayers' dollars. And particularly when some of the ideas that are being brought forward are at least in the view of many of us far from honest. They are not bound by the facts, at least as we see them and as most people would see them.

Mrs. SEASTRAND. That is where I was coming from, the idea of talking about trying to educate our American people about our plan, and then we see these ads in and attacks on radio, television and such. and we kind of got sidetracked over there.

I think, overall, as I said, as being freshman reformers, we want to come here and see that it is not business as usual. We want to roll up our sleeves. We want to fix it. We want to fix the problems. And these ads do not help in a dialog when you are actually saying that we are cutting Medicare, there are not going to be choices, that we are going to do all these horrendous things. As I was saying before, once our people understand what the program is, it is interesting, you have mentioned your town hall meetings, where people come in and talk about the fraud, waste, and abuse. I do not know if you gentlemen have experienced this, but some will bring their bill from the hospital, and it is like a phone book. They will actually sit down or hold it up and show all the things that were wrong, the \$2,500 that was charged for something that was just an obscene charge.

Our seniors are very concerned about this. But again, once we sit down and talk at our town hall meetings, present the case to them, they say, your plan is honest. It is responsible. It is a long-term solution. It is just not a Band-Aid approach.

Mr. KINGSTON. Mr. Speaker, on the description and the adjectives, I have

here a September 15 editorial from the Washington Post which, if anything, is not exactly a fan of the Republican Party and the leadership. Yet they are saying in here that Republicans have a plan. It is credible. It is inventive. It addresses a genuine problem that is going to get worse. And this is a pretty good editorial, particularly coming from a group that is traditionally very critical of anything that the majority party has done.

Again, getting back to what you are saying, your freshman class has led the way, clear thinking, responsibility, making things accountable, cracking down on fraud, maintaining choice of position, simplified language. That is why groups like the Washington Post, who even if it was begrudgingly, will say, Republicans have a credible plan and they are addressing a genuine problem.

Mrs. SEASTRAND. I have additional editorials here, on and on, the Washington Post, Columbus Dispatch, the Atlanta Journal Constitution, all of these are in September, the Providence Journal Bulletin, the Cincinnati Enquirer, the Star Tribune, the Dallas Morning News, Seattle Times, on and on, same type of situation, saying that this is a plan that is worthy to be looked at. It is sensible, responsible. And I am encouraged by reading these editorials, because sometimes, again, when you get caught up with seeing those 30-second type commercials on television, things get lost. But we have to stand here and remind ourselves that we are being cited in editorials across this Nation that our plan is worthy of being looked at.

Mr. GUTKNECHT. If I could interject, I think facts are our friends. I think the more people get to know the facts, and the editorial boards around the country, and you recited some of them, most of them are not exactly Republican propaganda organs, but the more they have had a chance to look at the plan, the more they like it.

One of the arguments we hear from some of the folks is that seniors are going to be forced into managed care, as if that is a terrible thing, and that managed care is like the devil you do not know.

First of all, I think we need to make it very clear, no one is going to be forced into any program. And you mentioned your mother. I think that a lot of, particularly the more fragile senior citizens, I think they are going to stay right where they are.

Mrs. SEASTRAND. My mom is going to stay right where she is, in a traditional Medicare situation.

Mr. GUTKNECHT. I think they ought to have that choice, and they ought to be able to stay right where they are. I think more seniors ought to have the options that are available now in the private sector.

Let me talk a little bit about a study that came out this weekend, funded by the Minnesota State Legislature and done by the Minnesota Health Data In-

stitute. In that study, they interviewed over 17,000, to be exact, they interviewed 17,591 Minnesotans. This is the largest study of its kind ever done. And what they really wanted to find out is how satisfied the people of the State of Minnesota are with their various health plans.

We in Minnesota have probably a larger penetration of managed care programs of various colors, and there is a wide variety of different programs that are available in the State of Minnesota, but I think it is interesting to note, the HMO's and the managed care programs have not penetrated the Medicare population as well as they would like to because of some of the regulations that the Health Care Finance Agency puts on it.

But in the study, obviously this print is too small to be read on the television screen, but I do want to talk about one particular chart, because I think it is very instructive. The argument that seniors despise managed care, at least in the State of Minnesota, is simply not true. In fact, they asked all Medicare recipients whether or not they were satisfied with the health care that they are getting. And when you asked just all Medicare recipients, about 77 percent are very or extremely satisfied; 17 percent are somewhat satisfied; but about 6 percent are dissatisfied.

Now, when you take the group who are members of various managed care programs and ask them the same question, their overall satisfaction, what you find is about 88 percent of them are very or extremely satisfied; only 11 percent are somewhat satisfied; and 1 percent on the largest plan that is available in the State of Minnesota, only 1 percent are dissatisfied or extremely dissatisfied.

The point here is that the level of satisfaction among members who are participating in managed care programs in the State of Minnesota, and it goes down for all the various managed care programs, people are actually more satisfied with the care they are getting in managed care programs than they are with regular fee-for-service Medicare. The system does work. And if we allowed more of these programs to develop and evolve in a more competitive market-oriented system, I think seniors are going to get better care. And they are going to be more satisfied with the system that they will have than under the system that they have today.

Mr. KINGSTON. I think the point of the gentleman is that this is but an option. It is an option that is good. It is not an option to be scared of. But if you do not want it, you can have traditional Medicare. If you do not want it, you can have a Medicare account. If you do not want it, you can have traditional insurance. Medicare has been described as a 1964 Blue Cross-Blue Shield plan. Do you want your mama driving a 1964 Chevrolet Biscayne? We had one when I was a kid.

Mrs. SEASTRAND. Maybe that is something we should look at.

Mr. KINGSTON. I wanted my mama to get all the advantage of the 1990's and the technology that is out there in medicine, transportation, and safety. And this Medisave account, they actually have one like this in Singapore. It has led to lowering the cost of health care yet at the same time increasing the quality and keeps choice of physicians.

Mrs. SEASTRAND. I am glad that you mentioned that. Our seniors have an option, because at home just this last weekend, I visited a rehabilitation institute. And they are very concerned because of the fact that the particular HMO's that they are dealing with are not sending patients to the institute for really serious rehabilitation care. And so I can understand their concerns.

But I made the point, in this plan, our plan, if you are not happy about what you are in, an HMO or such, you will be able to opt out and then choose another plan. And I also would agree with the gentleman from Minnesota, once this is up, the free enterprise system, the competitive spirit, we are going to see innovative programs. We are going to see different—I look at it as a menu, not only that one car for everybody, as you were commenting about, that 1964 car, or one particular dinner, we are going to open up a menu. We are going to see all different kinds of things that we can choose from.

Mr. KINGSTON. It will be in simplified, easy to understand terms so that you do not have to be an accountant. You do not have to be a lawyer. You do not have to be an insurance agent to understand it. You do not have to have it explained to you.

Mrs. SEASTRAND. Very simplified. And if I understand, my mom will receive her information and she will be able to choose and check off where she would like to go, into what kind of a plan. And if she does not, for whatever reason, she forgets to check the box of what she wants to choose, then she will be put into the traditional Medicare Program. So I think this is, as I said, the more our seniors and our American people hear about our plan, they are going to get excited about it like I am, too.

Mr. GUTKNECHT. I would like to tell a story that happened in one of my town meetings where a truck driver got up. He said, I am going to retire here in a couple years and, as I understand it, he said, as soon as I retire, I am going to have to leave the insurance plan that I have right now. And he had heard some of the numbers. And he said, I think actually my insurance plan, which I am very satisfied with, is cheaper than what I hear the average cost of Medicare. Why is it that I cannot just stay where I am? And I said, that is a very good question.

And so one of the things we are going to try and do is make it possible for

people, when they retire, to stay right where they are. If they are with the firefighters, perhaps stay with the firefighters health care plan. I they are a teacher, they can stay in the teachers' plan. But the key to all of this is to create markets and competition, because I think the real answer long term to controlling cost is to use the marketplace.

I carry with me a little chip that is actually developed and manufactured in my district. Depending on which electronics company you are talking to, we believe that this is the most powerful desktop chip ever built. It is the power PCAS IBM AS-400 64-byte risk. This will do essentially the same work that a computer which would have weighed something like 2,000 pounds would have done about 12 years ago.

Now this will do that same work in, it is like taking the difference between a 2,000-pound computer that you would carry on your back and now all that computing capacity will be in a wrist-watch. And the interesting thing is the cost has come down geometrically. Part of the reason that that has happened is because market forces and competition have forced the free enterprise system to find smarter, better, and cheaper ways to produce these.

This is what is happening in the private sector everyday, whether we are talking about automobiles, encyclopedias, or computers. Obviously, electronics is perhaps the most exaggerated example of that, but that is what is happening.

What we have got to do is figure out ways to help create markets to create competition, so that if your mother or my parents are not particularly satisfied with the plan that they have now, they ought to have the option to shop around a little bit. It ought to be simple and easy to understand English so that they understand what they are getting from that particular program.

Mrs. SEASTRAND. This has not been done in the last 30 years. They were all forced to go into one situation. Some of our seniors are healthier, and they do not need certain situations as other seniors do. In our plan, we are going to give them so many choices so that they can choose.

For instance, my mom will probably stay in the traditional Medicare. But if there are some seniors that are just entering the plan, like our SAM JOHNSON, who just turned 65 today, and they are healthy, probably the medical savings account would be their best option.

Mr. KINGSTON. Or the congressional plan, opening up a Federal employee type benefit plan for seniors. If it is good enough for the U.S. Congress, it is good enough for my mama.

I want to comment on this computer chip, because I think it is interesting that you bring out that high technology, because that was done by the private sector. If the government was in charge of the development of that computer chip, we would still be on the vacuum tube.

Mrs. SEASTRAND. We are, too.

Mr. KINGSTON. In fact, the Federal government is the largest purchaser of vacuum tubes, I believe, in the world. And no one in America has a TV or radio anymore, unless they have it for novelty purposes, run by vacuum tubes.

Mr. GUTKNECHT. When we fly home every weekend, for those of us who fly a lot it is a scary thought, maybe I should not warn Americans about this, but the air traffic control system relies heavily on vacuum tube technology. We are the largest buyer of vacuum tubes in the world. We have to buy them from Czechoslovakia. They are no longer made here in the United States. They are no longer made in North America. But we are the largest buyer.

The rest of the world, the free enterprise system is using this. And this is the equivalent of, I think, something like 9 million, this little chip does the work of 9 million vacuum tubes. That is what is happening in the private sector. The vacuum tube is what is happening in the public sector.

Mr. KINGSTON. There is no reason, in getting back to my days as a commercial insurance agent, I can say this, there is no reason that insurance products as an intangible item cannot advance the way a tangible computer chip does.

When I sold workers compensation, product liability, fire insurance, I can tell you just in the 10 or 12 years I was in the business, the policies changed tremendously and in most cases got more competitive and at a lower price brought a better product to the consumer. That is what we need to do with Medicare so that our seniors, and the gentlewoman from California mentioned about the senior population increasing, I believe the population sector that is increasing the most in society right now is the individuals over 87 years old.

□ 2015

We need to have the innovations, the technology and the know-how to keep up with them, so that we can continue offering some of the great things that the private sector can do and not have this stifling bureaucracy that cuts off innovation and deprives the consumer.

Mrs. SEASTRAND. You had mentioned about fraud, waste and abuse. I think there was one thing that I heard in those town hall meetings, the concerns of the seniors, was the fact that they recognize fraud, waste, and abuse when they are looking at that bill from the hospital or such. They are concerned.

I am pleased that our plan is going to give the chance for our seniors to review their bills, and we are going to try and simplify the billing process so they can. As you mentioned, they do not need a S&P or an attorney to interpret their bills, and if they find \$1,000 or in excess of \$1,000 in fraud, we are going to give an incentive to them.

I think this is the way to go. If there is anything that I know about our seniors is they are very thrifty. They are concerned about their bills. They do not want to waste dollars and, I might add, they also have the time to look over those bills. So we are going to give them the tools to be of assistance to us so we can save money.

Right now the experts tell us we are spending almost \$44 billion alone a year regarding fraud, waste and abuse. Those are a lot of seniors that we can be of assistance to if we were not spending those dollars in this area. I am pleased to know our plan is going to be of assistance to our seniors to help look for this fraud.

Mr. GUTKNECHT. I think any of us who have had town meetings, at virtually all of them we have heard examples. I remember one example, I believe in Lake City, MN, where a senior stood up and said she had been billed \$232 for a toothbrush.

I think that is repeated so often and, as the gentleman from Georgia [Mr. KINGSTON] said, many times these are caught but many times they are not. I think sometimes there is an attitude with some people that it is not our money.

I think part of this whole thing using medical savings accounts and encouraging seniors to review their bills, I think is a way of saying we all have to take responsibility. Because I think one of the analogies I like about this, or even the national debt and the deficit and all the other problems we have in the national budget, is we are all in the same boat and you cannot sink half a boat.

I think we all know now and I think everyone has now finally come to the conclusion that the Medicare boat especially is heading for the rocks. What we are saying is we have to drastically change course. If we stay on, keep doing what we have been doing, the boat is going to hit the rocks and we are all going to go down together. It is going to hurt seniors, us, our children. It is going to hurt everybody.

We do not have to make drastic changes to the system but we do have to change course. We cannot keep doing what we have been doing. My grandmother says it best. She says if you always do what you have always done, you will always get what you have always got.

We need to begin making some of those changes, again taking the best ideas from the private sector, giving seniors choices, making markets, helping to create markets so that we have competitive forces out there. I am actually convinced that we are going to save a lot more than we think. As I understand it, the CBO is now scoring our legislation, saying they are only estimating that about 25 percent of seniors will get involved in some of these various new options we are talking about with managed care, medical savings accounts, and the like.

My sense is long-term you will see much larger percentages than that, and

I think you will see those inflation rates dropping precipitously so that we will save the system. We will simplify it, make it easier for consumers and for seniors, and we can save the system not only for the seniors who are there today but for the baby boomers when we start to retire in 2011.

Mr. KINGSTON. If the gentleman will yield, there is one thing that always goes on in Washington, and we all admit it goes on on the left, it goes on on the right, and that is special interest groups that surround Members of Congress by telling folks back home:

The sky is falling. The only way you can prevent it is by sending me a \$25 check and writing this postcard to your Member of Congress telling him or her what to do.

It is all this fear.

One of the things that the other side of the aisle is employing is the tax cut for the rich to pay for Medicare. Let us talk about the tax cut a minute.

First of all, statistically when you put more money in the pocket of the American consumers, they buy more goods and services, jobs expand, more people are working, revenues to the Treasury actually go up. Under Ronald Reagan, for example, from 1980 to 1990 revenues after his tax cut went from \$500 billion to \$1 trillion. Unfortunately, spending on a bipartisan basis outpaced revenues. However, there was truly a lesson. The same thing was done under Kennedy.

Let us look at this so-called tax increase: \$500 per child tax credit, and taking care of your mother in your house or your father in your house. If I have a senior citizen who is a dependent living in my house, I get a tax credit for it.

You do not hear the Democrats talking about this senior citizens' earnings limitation, so that if they are 65 and they want to continue to work, they will not be penalized up to \$30,000 on their Social Security by working. Senior citizens want to continue working after 65. We are trying to give them the option of it.

Increasing the estate tax from \$600,000 to \$750,000 so that seniors, should they choose, can continue to save their money and pass it on to their children if they want to.

And then the capital gains tax cuts. In my district, and I am sure every other district in America, you have growth areas. Very typically you have a widow who has lived in the house for 30 years and suddenly that property, not suddenly but over the 30-year period of time, is worth a lot of money. She wants to sell it. She may need to sell it for long-term health care, for a retirement home, for a medical emergency, or whatever, and yet if she does, she is going to be clobbered at a 28-percent tax rate for the value of that up to her income bracket.

What is wrong with cutting that in half for the senior citizen? Yet we just hear all this fearmongering that the Rockefellers are going to benefit from it. That is not the case. Seventy-five

percent of the money goes to people with a combined income of \$75,000 or less, and our senior citizens will benefit tremendously from it.

Mrs. SEASTRAND. I think if the gentleman from Georgia would come to the central coast of California, we have fairs, quite a few fairs throughout the district and they are all the time, as I am sure you do in Georgia, talking to the men and women, moms and dads, coming up, talking about the fact that something has to be done, I can't continue in my small business, very concerned, they are looking for some relief. They are excited about the prospect of a capital gains tax reduction. Seniors are excited when we talk about I want to have you keep more of your dollars in your pocket. I want to reduce that tax hike that you got hit with recently.

The idea of moms and dads when they come to the fair, let me tell you, they do bring the children and they are excited about the prospect of the \$500 tax credit. Also I am a mom, I have two adopted children so I know how important it is also to give that tax credit to the children that are waiting to be adopted and moms and dads wanting to do the right thing and to add to their family. These are not for, as you said, the rich people. We are talking about middle class and our low-income people throughout America. This is what it is—I want to give and I know you gentlemen want to give dollars back so that they can control their own destinies.

Mr. KINGSTON. We just do now want to take it in the first place. It is the people's money. That is what really gets me about the arrogance on the other side when they say you are giving money to them. It ain't our money, for crying out loud. We are talking about the people of America. We are talking about their money. We are just not going to confiscate as much as we have been confiscating. If you do not think it is confiscation, don't pay your taxes one time and find out about it. That is the absolute truth.

I was speaking last week to the drivers of UPS in my district. A guy said to me:

Listen, I make good money as a truck driver for UPS. I don't make a lot of money but it is a good living. I've got 3 kids. My wife works. We work typically 50 hours a week or more each. Yet at the end of the month, we have got absolutely zero because our money is going to taxes.

As you know statistically, that two-income middle-class family is paying 40.5 percent of their income in taxes. The same family in the 1950's as a percentage of that income only 2 percent went to the Federal Government. Today that family is paying 24 percent to the Federal Government. We are killing the American middle class with taxes and they are sick and tired of it and it is their doggone money. We are not giving it back to them.

Mrs. SEASTRAND. Even if the budgets were balanced and we did not have

that problem of looking at how we are going to handle that situation, even if it were balanced, Medicare would still have to be saved from bankruptcy. I think that is an important point. The tax relief has nothing to do with this issue. We need to save the program because it is the way the system is made up. It is failing. It needs help. We have to breathe life into it.

Again that is why I am excited about our medical savings accounts and all of the other options we are going to give. It is good news that our bill passed out of the Committee on Ways and Means today.

Mr. GUTKNECHT. And the tax relief, if I could just say and the gentleman from Georgia [Mr. KINGSTON] has said it so well. Whose money is it? It is not Washington's money. We did not earn it. They earned it. They work hard every day. We are saying you ought to be able to keep a little of it.

The second and more important point is who can spend it more efficiently. Are there any people in America who really believe—in fact, let us play a little mental game with this. Let us envision that you won a big lottery and all of a sudden you became a very wealthy person and you wanted to help humanity.

What is the first thing you would do? I do not think the first thing that you would do is give the money to the Federal Government. Because I do not care what your circumstances, I do not think anybody really believes the most efficient way to distribute funds or the most efficient way to buy things is through the Federal Government. We know what the most efficient unit is. It is called the family. That is why that family tax credit is so important. Those families know how to spend that money efficiently. They will get real value for the money and they will plow it back into the economy and frankly I think long-term we will see overall revenues to the Federal Government go up because of the increased activity.

The second point that needs to be made, and this is where some of our friends on the left get so upset. It is about this capital gains tax cut really which I think is so important. Really what we want to do is stimulate economic growth in this country so we have more jobs and more opportunity. It is about converting this society from a welfare state to an opportunity society. This is what we promised last November. We were serious about it. We want to change that. But even capital gains where I think we have to say, it may well be that some wealthy people will take more advantage of that tax break than other people. This is true. But let me give a very important fact. Again I think facts are our friends. Forty-four percent of the people who pay a capital gains tax in the United States are wealthy for one day. The day they sell their businesses, the day they sell their farm, the day they sell some other investment which in many cases they have been paying taxes on

for a long period of time. Again whose money is it? The Federal Government did not help create that wealth. The Federal Government did not help create that wealth. The Federal Government is not really helping to create those jobs that usually go with those capital gains.

I think what we need to do, we promised we would give tax relief and unlike some of the other people who have been elected, the old politics as usual, we made a promise last November that we were going to lower taxes on families and we were going to make it easier for people to invest and save. We were serious then, we are serious now and we are going to come through with that tax relief.

You are right, it has absolutely nothing to do with saving Medicare. The Medicare fund would be going bankrupt whether we gave tax relief to American families and encouraged jobs and investment or whether we did not.

Let me just finally say about the tax cut, all we are really doing is giving back a little bit of what was taken away in the big tax increase a few years ago. This is just starting to give back to the people what they had before the big tax increase. I think it is a great idea, it is long overdue, I think once the American people begin to understand the facts there will be overwhelming support for this.

Mr. KINGSTON. If the gentleman will yield, after the outside-the-beltway tax increase, the Bush-Democrat party deal, the economy slumped. Revenues did not increase, because the prosperity was not there. Yet under the Reagan cut, prosperity increased, revenues increased. There comes a point where the American public has had all the fun they can stand and they are not going to continue working this hard. The UPS driver that I was talking about, why would he want to continue working 50 hours a week when he knows the marginal increase is almost zip?

Mrs. SEASTRAND. If he can keep his dollars, he is going to do additional things. He is going to buy that home, he is going to maybe buy a new truck to get the family around. People do not put their dollars necessarily in a mattress anymore. They are going to do something with those dollars. They are going to buy it, invest it in a business or a home or hopefully they are a small business and they will hire someone additionally and give that young person a job.

□ 2030

So this is all important too, and I think the most important thing is that we made promises in the fall of 1994, many of us as reform-minded freshmen who have come here because of promises we made. It is my intention to keep that promise. It is exciting times here this fall in 1995 because there is a lot to do, and we are going to not only save Medicare but we are going to help to give tax relief to the American people.

Mr. GUTKNECHT. One last point about tax relief. This is something not well understood, and sometimes it gets lost in the whole discussion: The tax cuts we are talking about have been paid for. I mean, we have made, by the time we finish with reconciliation, with the rescission bill which we passed earlier in the session and the appropriations bills which are working their way through the House now, we will have cut over \$44 billion in discretionary domestic spending. We paid for the tax cuts irrespective of what we are doing with Medicare or anything else in the budget. We are paying for the tax cut by cutting Federal spending. That is critically important because I think that is what many of the money markets are out there looking towards, and that is why we are going to get greater economic growth, and that is why we are going to get lower inflation, lower interest rates down the road if we follow through with this plan.

Mr. KINGSTON. What the gentleman is saying, instead of taking the money from the people, the American middle class, you are going to take it from the Washington bureaucrats, which is exactly the platform that the two of you and the other Members of the freshman class campaigned on. When I go back home and talk to my civic clubs and describe the freshman class, I say for the first time in my political life normal people create the majority of the folks in there.

I believe, as your freshman class has got a reputation, you are not running for Senate, you are not running for President, you are not running to be committee chairmen up here in 20 years. You just want to balance the budget and go home and make a better America, and I think that that is the difference, and this is your approach on Medicare. You are being reasonable. You are being sensible. You are moving to simplify it. You are moving to protect it. You are moving to save it. You are moving to strengthen it. That is what the American people want.

I am glad to be part of your team. Even though I am in the sophomore class, I do think our philosophies are exactly alike, and I am proud to be with you, and I appreciate being in this special order tonight.

Mrs. SEASTRAND. I guess we started off talking about so many things that we have to talk to our seniors and Americans across this Nation, to talk about our Medicare Preservation Act and how difficult it is because so often the headlines are the 30-second ads, which always use the key words, "rich," "cut," and so on, and scare people. I am proud to say we are moving forward with a plan. We are going to save, protect and strengthen Medicare. It is going to be there for my mom, who is 83. It is going to be there for me and future generations.

We are going to try, as I said before, to get the message out across this land that this is what we are doing.

Mr. GUTKNECHT. We have got to close here. I just want to say it has been my pleasure to participate in this special order. I do believe, as John Adams said, facts are stubborn things. I do think more of the American people, the more they get to know the facts, whether we are talking about welfare reform, tax relief for families, saving Medicare, I think the American people will understand. I think they do understand that this is what they sent us here to do. They do not want politics as usual. They want to save Medicare, not just to get through the next election but they want to save Medicare for the next generation.

I think if we are permitted to pursue these reforms we are talking about, if we do not lose hope and faith in the American people, they will not lose faith in us.

I thank you for allowing me to participate, I say to the gentlewoman from California [Mrs. SEASTRAND].

THE IMPACT OF REPUBLICAN PROPOSALS ON MEDICARE AND MEDICAID

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentlewoman from California [Ms. PELOSI] is recognized for 60 minutes as the designee of the minority leader.

Ms. PELOSI. Mr. Speaker, last week the gentleman from California [Mr. LANTOS], the gentlewoman from California [Ms. WOOLSEY], and I held a field hearing in San Francisco on the impact of the extreme Republican proposals to devastate both Medicare and Medicaid, and all this devastation has wrought to pay for a tax break for the rich, yes, a tax break for the rich.

The Republican proposal would cut \$270 billion from Medicare and \$182 billion from Medicaid programs. Over 50 percent of the tax break will go to the highest 6 percent income earners in the country, over 50 percent of the tax break goes to the highest 6 percent of the population.

The hearing was very revealing. We had an extraordinary list of panelists who are respected in their fields who presented their views on the impact of these drastic cuts.

First, we heard from individuals, experts, really, because they can say directly how these cuts would affect them. The first panel was comprised of representatives of working families, mothers and children and seniors. Our first witness was a pioneer in the field of women's health and women's rights, Del Martin. At age 74, Del was a delegate to the White House Conference on Aging and is a respected community leader.

Del said seniors are more than willing to carry their share of the deficit reduction burden.

We are told that Medicare is responsible for only 6 percent of last year's Federal deficit. Why then, why then is Medicare being cut by 35 percent? That is not fair. Con-

sional leaders refused to even consider eliminating tax breaks and loopholes which primarily benefit the wealthy. You do not need a PhD in economics to know there is something drastically wrong in this balancing act.

Del went on to say in her testimony the increase in Medicare costs for her personally projected over the Republican plan would amount to over 27 percent of her income, and this percentage would increase as her income diminishes as time goes by. She said as she grows older, that if this Medicare plan is put into effect, her children may have to help her, and that is why these Medicare and Medicaid cuts, these drastic cuts proposed by the extreme Republican majority are of concern to not only our senior citizens but our middle-aged, middle-income families and children in America.

I think it was Betty Davis who said, Mr. Speaker, growing old is not for sissies. And being elderly in our country and being faced with these cuts in Medicare and Medicaid will have a devastating impact on America's families, because if our parents are not cared for, the delivery of service is not paid for by Medicare and Medicaid, then who is going to pay?

Under the Republican plan, I will tell you who is going to pay. The Republicans will have a call on the income of the working children of those parents from those elderly parents. The Republican plan will say that a woman, a spouse whose husband has gone, say, to a nursing home under Medicaid will not be able to retain even the \$14,000 per year that she is now allowed to save. That money will have to go for her husband's care in the nursing home, and she will be pauperized and not able to stay in the community, and that the Republican plan will allow States to call on the home that that spouse is living in, in order to pay for her husband's care in the nursing home.

So this strikes right to the economic and health security of our senior citizens, but also the economic security of their children as those working married children who are trying to raise their own families will now have more responsibility for the health care bills of their parents.

Another member of the panel was a remarkable young woman, Melica Sadasar, who is director of Family Rights and Dignity, an organization for homeless and low-income families. She spoke to the consequences that changing Medicaid into block grants would have on poor children. She said the decision to block grant Medicaid relegates mothers and children to a caste of disposable human rights. These political decisions simply say that our children, that their lives are not valuable, that their futures are irrelevant. This is political savagery, she had said. This is child abuse masquerading as congressional legislation. "How can we say to an entire generation of children that their country will not protect or invest in them?"

Mr. Speaker, I contend that these changes in Medicare and Medicaid will not lead to balancing the budget or reducing the deficit. Indeed, the best way for us to do that is to invest in human capital, to invest, to intervene earlier if someone is sick or in need of care, rather than waiting until the bill is so much higher.

Finally, on that panel, Mr. Speaker, Bruce Livingston, the executive director of Health Access, spoke, and he talked very movingly about his parents and what the impact would be on their economics and indeed on their dignity and indeed on his financial security. He said that his father was a Vietnam vet and a career U.S. civil servant, had wisely and carefully structured a health plan for himself and his mother prior to his father's death. That included reliance on Medicare and Medicaid.

Now, like many Americans, his mother must rely solely on herself and whatever benefits she still receives from her husband's pension to make ends meet.

Bruce said,

My father worked very hard to provide security for his family. This was the most important thing in his life. When I asked him why he fought in that war, he said, "I wanted to care for my family." My father would turn over in his grave if he thought the security he built for my mother was threatened because of proposals for tax cuts for the wealthy.

Bruce's father and mother made their financial decisions based on the promise that Medicare and Medicaid would be there for them. Bruce said, "My parents kept their promises to the U.S. Government. Now, as their son, I ask you to keep your promise to them."

As I said earlier, Bruce is part of that sandwich generation where he will now have his assets and his income called upon to help pay for his mother's health care costs.

I saw an interesting poster at one of the rallies that said, "My children cannot afford my health care."

What does it do to the dignity of a senior who has worked all of his or her life to provide for his or her retirement to then have to go to their working-age children, middle-income, working-age children who are caring for their own children, and say, "We need to call on your assets to take care of my health care benefits because Medicare and Medicaid are no longer there?" It is interesting to hear our colleagues, to talk about the choices seniors will have.

Oh, yes, they will have a choice. They can stay in Medicare with higher premiums and lower benefits. If they go into one of these other managed plans, I predict, Mr. Speaker, you can call that the Roach Motel plan, because once they go in that plan, they are not going to have any choices. It is in and it is not out, and let me choose another plan because I do not like it in there; so seniors have to be very, very concerned about this Republican proposal.

Well, it is clear it is easy to understand why the Republicans want to change Medicare. They did not believe in it in the first place. Ninety-five percent of the Republicans in the Congress voted against Medicare 30 years ago when it was passed in the Congress of the United States. They have not liked it. Now they want to move on from it, and it providing the health security to America's seniors.

We had other panels that I am going to get around to. But first I would like to yield to some of my colleagues from Northern California so that they can address some of the other voices that they are hearing from their districts. They can tell us about some of the other voices they are hearing from their districts on the Republican proposal. I first would like to yield to that fighter for seniors, the gentleman from California [Mr. FARR], who has been in very close touch with the seniors in his district and is here to report on their concerns about the impact of the Republican cuts in Medicare and Medicaid to give a tax break to the 6 percent wealthiest in our country.

Mr. FARR of California. I thank the gentlewoman.

I really appreciate the gentlewoman yielding this time. I hope that in our brief moment here tonight that we can bring to attention what is really going on in Congress.

Like the gentlewoman, this last week I met with senior citizens in my area and, in fact, they gave me this postcard. They asked me what would I do with it, what does it matter when they go out and gather signatures and then they turn in cards, cards by the hundreds. Every one of these cards is just coming in from the districts daily.

Those cards read:

California seniors are willing to do their fair share to help reduce the budget deficit, but the drastic measures now proposed for Medicaid and Medicare are unacceptable. Your vote, those of Members of Congress, to devastate Medicare in this way would be breaking a campaign promise to thousands of your constituents.

I got to thinking just with that first sentence in there, "campaign promises." Is that not what this discussion really is all about? It is not about reforming Medicare. It is about a campaign promise that was made that this year the Republican-controlled Congress will give tax cuts to the very wealthy. That was a promise made, and when you think about it, I looked in the Webster's Dictionary of what is a promise. A promise is a legally binding declaration that gives the person to whom it is made a right to expect or to claim performance or forbearance of a specific act.

In order to deliver on that campaign promise, to cut Federal programs so that they can pay for tax cuts, they have to find a major program like Medicare, and attack it.

Now, we know it has some problems, and we are all willing to do something about it. But if you really want to keep

your promises to seniors, you would not be attacking the very program that benefits them. In fact, the first thing you would do is you would get up and say "Look, this isn't about tax cuts. It is so much not about tax cuts that we are not even going to consider tax cuts. Take them off the table. We'll never deal with them." That honesty would bring us a long way.

This card goes on to say, "The current budget proposal described as a reduction in the rate of growth is nothing less than a cut, which will cost seniors and their families thousands of dollars more for their health care."

We just heard a debate that this is not going to cost seniors more, everybody is happy about it. If everybody really believes that, where are they? They are not in here saying "Give us this Republican proposal, give us this plan. We can't wait to have it. It is going to be so wonderful, the nirvana we are all going to live under when we do not have to spend more with less."

The card goes on to say, "Additionally, I am very concerned about congressional plans to cut spending for programs under the Older Americans Act, Meals on Wheels, congruent meal programs, programs to prevent elderly abuse," all of those programs we heard about at the hearings and out on the lawn that are under the acts. "Please act responsibly."

I think that is what we are trying to do here tonight, is be responsible about Medicare, about Medicaid, about the Older Americans Act. These are vital to seniors and to their families.

These cards just come from my district. So when I met with these seniors this last Monday, they said, "How can we just as individuals out here who have signed our names and have written you cards, and some of us are too old to write long letters, so the best thing we can do is sign a card, how can our plea, our voice, be heard in the U.S. Congress?"

I said, "There is a wonderful thing about Congress, and that is there are what is called special orders. And I will bring back to the U.S. Capitol, where we are standing tonight, all of these cards and all of this poster that you put out and the signatures you have had, and you will see and the rest of the nation can see your concerns, and will be able to join in with you, as thousands and millions of seniors are doing across the country to say 'don't break your promise to seniors just because you want to keep your promise to the rich.'"

Ms. PELOSI. I thank the gentleman for his speech. I hope the gentleman will continue to contribute to our discussion this evening. I commend the gentleman for his hard work in the district and congratulate him on this collection of signatures on the cards of real people, real grassroots people speaking out about the injustices of the Medicare and Medicaid cuts.

As the gentleman says, of course, we all stipulate that we must address the

issue of waste, fraud and abuse. Indeed, President Clinton last year in his comprehensive health care reform addressed these issues. This was rejected by the Republicans. The President addressed the issue of the shoring up of the trust fund, of eliminating waste, fraud and abuse, and by moving forward with a comprehensive health plan, universal access to health care for all Americans, really took the bull by the horns in saying this is the only way we are going to address the rising cost of health care in America, is by making health care more available to many more of our citizens.

What is interesting is that today the reason we have the hearings in our district that the gentlewoman from California [Ms. WOOLSEY] participated in, was because our people really could not come to Washington to be able to be heard by the committees of jurisdiction on this issue. Some came and spoke on the lawn where we had our hearings outside, and some came and spoke in our district. It is very sad that our colleagues on the other side of the aisle were not there to hear what these experts had to say about the Republican proposal, indeed, what the individuals had to say about the insecurity that these proposals brought to their lives.

But what is interesting is what has happened in the last 24 hours here in Washington, DC. Within the last 24 hours, senior citizens who came to a hearing room where Medicare and Medicaid were being written up into legislation, legislative language, were ejected from the meeting with the assistance of the police. These senior citizens were ejected from the meeting. Within a number of hours, representatives of the AMA were waltzed into the Speaker's office to talk about what they wanted out of the Republican Medicare bill. They came out and said "We picked up, the AMA, we picked up \$3 billion. \$3 billion. So we support the plan." Nothing about what this does to undermine the delivery of health care services in America. "We, the AMA, we picked up \$3 billion."

Well, guess who is paying the \$3 billion? Those seniors who got ejected by the police from the hearing, because that same day, as the AMA is celebrating their \$3 billion windfall, the Committee on Energy and Commerce voted a \$25 per month increase in premiums for senior citizens in America to pay for the increase that they gave the AMA, and to also pay for the tax break, over 50 percent of which goes to the 6 percent highest earners in our country.

Before I yield to my colleague, I want to state that I will be placing in the RECORD the full statements of Bruce Livingston, executive director of Health Access, and other representatives of various groups.

Mr. Speaker, I am pleased to yield to our colleague, the gentlewoman from California [Ms. WOOLSEY], who was present at the hearing, who had some

of her constituents there, and who has been a relentless fighter in this fight. She brings dignity and pride to the State of California by her service on the Committee on the Budget, where she represents so very well the values of the people of her district.

Ms. WOOLSEY. Mr. Speaker, I thank the gentlewoman for yielding. First of all, I want to thank you, my fellow Bay Area colleague, for having the forums that we had while we were in the district last week and for putting this special order together tonight, because when I was listening to what they were saying on the other side of the aisle earlier, it totally floored me. We must, in the Bay Area, live in a totally different part of this world or something than they represent, because the entire Bay Area, from SAM FARR's district down to Santa Cruz and north and through San Francisco and into Sonoma County and across the Bay to Oakland, Alameda, and Oakland, we do not hear these things.

I do not know why I did not bring them. I have stacks and stacks of petitions from the people in my district, one of the most affluent districts, by the way, in the United States of America, of seniors saying they do not like these cuts, if not for themselves, for other people they know. They are willing to pay their fair share, but they want fraud and abuse taken care of; they want the tax cuts off the table.

Well, I always do tell people that I am fortunate to represent Marin and Sonoma Counties, because being the two counties directly north of the gentlewoman's district, across the Golden Gate Bridge, I know that all of my fellow members of the Bay Area delegation, including myself and those that I work with in the sixth District, I know that we live in an oasis of sanity. That makes it easier for us, because we work with people who time and time again, our constituents, the true leaders of this country when it comes to caring, when it comes to understanding, and when it comes to working for the rights of other people in this Nation, including their own rights. But they care about other people.

So last week when Nancy and TOM LANTOS and I had the hearing in San Francisco and we met with many of the people who wanted to tell us what they thought about these radical cuts in Medicare and Medicaid, which Speaker GINGRICH and the new majority are pushing through our Congress, I was comfortable being with all of you, because I knew that we represented districts much the same. But I felt appalled that we had to have these meetings in our districts, which we have been having all over the place anyway.

I have had meetings with hospital administrators, with doctors, and with senior citizens throughout my entire district. Nobody is coming to me saying they like what is happening.

But we had to have more meetings than the one in San Francisco, because we are making up for 1 day of hearings

here in the House of Representatives in the committee. We tried to make up for that with a week of hearings out on the front lawn, where we could have people come and actually express themselves. But it was important that we take these hearings also to the Bay Area within our own districts.

So when we had our hearings last week, we were able to hear what people really thought about the impact of Medicare. The wonderful people spoke out, people like Dr. Tom Peters, who is the head of the Marin County Department of Public Health in my district, and to Anthony Wagner, the executive director of Laguna-Hondo hospital in San Francisco, and Paul Dimoto, who is with the San Francisco AIDS Foundation. They came to us, and they gave us one message to bring back here to Washington. That one message is this: The Gingrich Medicare and Medicaid cuts will devastate the elderly, the poor, and the disabled.

Today, I think we all know that the Committee on Ways and Means passed their assault on Medicare and Medicaid. Today, the new majority demonstrated their willingness to ram their plan through Congress with only 1 day of public hearings. What an outrage.

As a former Member of the Petaluma City Council, I can tell you that we talked longer and harder about sidewalk repairs than Speaker GINGRICH and his allies have for an issue which affects the health of millions of Americans.

So we are here tonight, the three of us, speaking out to the people that have been shut out, shut out of the democratic process by the new majority. We are here tonight to tell you that people in the Bay Area, seniors, patients in nursing homes and middle-income families, are scared to death, scared by the new majority's assault on Medicare and Medicaid. They know that this plan will inflict real pain on real people. They know and we know that the Gingrich Medicare and Medicaid plan is not fair. The people of Sonoma and Marin Counties know that the Gingrich Medicare and Medicaid plan is not fair as well as our knowing it.

Maybe even the majority knows that this plan is not fair. Maybe they do not really care. But the American people care, and so do the people who testified before NANCY PELOSI, TOM LANTOS, and myself last week in San Francisco. So do the doctors, the hospital administrators, the senior citizens, who have come to forums and hearings that I have had in Marin and Sonoma Counties.

I urge my colleagues, everyone in this House of Representatives, to heed the words of the people that we have been talking to, to reject these attacks on seniors, children, and middle-class families, and to show that we really care, really care about the people in this country.

Ms. PELOSI. I thank the gentlewoman from California for her statement this evening, for her participation in the hearing, and for her leadership on this very important issue. It was interesting then and now to hear your point that as a leader in local government, the time that you have spent, the period of public comment that is required for changes in the infrastructure in your district, be it a sidewalk or whatever, and how quickly the Republican majority wants to move forth with its stealth plan before anybody can really see what it is. I know our colleague, Mr. FARR, has a similar experience.

Mr. FARR. I think it is very interesting. The gentlewoman are on a city council and very involved in local government. Congresswoman PELOSI was on the board of supervisors in San Francisco County. I served the local government and then in the State legislature. There is not a city, county, or State in the Nation that does not require publication of any change in law that you are going to make, and that publication has to be available to the public. I know in California, at least 30 days before you even have a public hearing on it.

In the State legislature, an analysis has to be made of both the costs and the benefits, and that is all public information. In fact, you can call up on a hot line and get it, and those bills are free to any constituent in the State of California who wants them.

The point is, every time you are going to tinker with the law, the process requires that the public be aware and know about it. The one exception to that rule is right here in the U.S. Capitol, where essentially you do not have to tell anybody until the day that a vote is taken what is in the law. I think that is very confusing to most of the American public, because they are familiar with going to a school board meeting or going to a city council meeting or even petitioning their State legislature and finding out the details of the law, not what some press release says, not a public relations firm comment, but what is the law. People can read.

In this case, the public of the United States has no idea what is in this great promise to resolve Medicare, other than it is going to affect their pocketbook.

□ 2100

Mr. FARR. It is essentially going to take money, saying, "Government, you spend less, and, people, you spend more." For those people that are on fixed incomes that have signed these petitions that were at your hearing, what did they tell you? "Our incomes are limited. We are on fixed incomes. We cannot go out and make more money. We do not have the ability to increase our income. Our water bills have gone up, our garbage bills have gone up, our sewage bills have gone up, our telephone bills have gone up, and

our cable television bills have gone up. Now you are coming along and saying the most vile thing of all, our health care bills are going to go up even more. Where are we going to get the money to pay for it?"

This is the sham being played on America. It is essentially saying, "You people, the poorest in the Nation, who have limited incomes, who cannot go out and get more, you have to pay more," so that they can turn around, take that money, and give tax cuts to the most wealthy people. This is not the Nation of America that takes care of people like that. It is not why we ran for Congress and why we took the oath of office to be here. Not to rob from the poor to give to the rich.

Ms. PELOSI. Mr. Speaker, as the gentleman mentioned earlier, if this is not all about giving a tax break to the wealthiest Americans, why do they not just take the tax cut off the table? Let us address getting rid of waste, fraud, and abuse in Medicare and Medicaid. Let us address the delivery of health care to our senior citizens, because that is mostly what we are talking about here, outside the arena of "We will take this money and we will spend it on a tax cut." If that is not what the purpose of this is, let us eliminate it.

Within the Republican Party there are many people saying it is not right to do this; we ought not have that tax cut. But the majority of the Republicans are insisting on it, because that is what this is about. They want to give the tax cut. They are going to where they can get many people who are paying into the system, and that is our seniors, and asking them to pay more into the system for their health care.

It would be a more fair and honest debate if we could have this debate without a tax cut on the table.

Ms. WOOLSEY. Mr. Speaker, if the gentlewoman would continue to yield, first I want to say I do not believe they are hearing what they are saying they are hearing from their constituents, because their constituents cannot be that different than ours. I know a Republican Representative just north of me. Our newspapers are telling us that his constituents are saying to him what they are saying to me, and that is keep your hands off our Medicare and our Medicaid. Because Medicaid is going to get hit next if we even tweak with Medicare. We will pass it down to the poorest of the poor; our elderly, frail seniors, and also the other third of the people who are on Medicare, which are the disabled and handicapped, and then children who are on welfare, which make up 70 percent of welfare recipients who need Medicaid.

So he is hearing what I am hearing. I know that. They are hearing what we are hearing. They are just trying to tell them that they think something else. It will not work. I do not know about other Members, but I have a lot of faith in the American people, and

when they know what is happening to them, they will not put up with this.

Now, when we talk about process and we talk about the difference between local government and State government and county government, we have the Brown Act in California. I cannot imagine taking the AMA into a back room and negotiating what we are going to do with their fees and leaving all of the people, the consumers, the seniors, out of that debate process. No way.

It is such an insult to the people of this country. That is exactly why American voters are getting disenchanted. They think they do not have a say. The Republicans, in doing what they did with the AMA, gave the American voters a lot to believe in when they told them you, the American voters, do not mean anything to us. We are taking a special interest group into a back room and we are going to make great decisions that affect you.

Ms. PELOSI. Mr. Speaker, it is interesting that the gentlewoman makes that comment because at the same time that this is happening, as lobbyists are having very special access in this process, the Republican majority is at the same time saying anyone who gets a grant from the Federal Government should not be able to lobby the Federal Government.

Certainly nobody who gets a grant from the Federal Government should use any of those Federal grant dollars to lobby the Federal Government, and they must use it for the purpose of the grant. But just because an organization has competed in a process and won a grant does not mean they have abdicated their rights as a citizen of our country to be able to petition government. That is the right of a democracy. The public's participation in the formation of public policy is what a democracy is all about as much as a free election of representatives.

So when we talk about process, we are talking about a stealth plan which continues to be substituted. As recently as 48 hours ago, the plan became a new plan. And as recently as the AMA walking in that office, there was another change made. So we have this stealth plan and then we have a process where there are no open hearings where consumers can come in and citizens can come in and say this is how this would affect me, or professional judgment opinion would say this is how this would affect the delivery of service. And on top of that, we are going to squelch the voices of people who have participated in our process and have won grants.

And yet, Mr. Speaker, when we ask them would they apply that to the Defense Department, which awards contracts into the hundreds of billions of dollars, they say, oh, no, not the Defense Department. Well, if we are going to do it to people on the domestic side, then we should do it on the defense side or not do it at all.

And I prefer that. I prefer that the people who get government contracts have the ability to speak out, whether it is defense contracts or other contracts. But in this situation, the defense contractors are off the table, just as they are in the budget priorities.

Mr. FARR. I think we are really hitting on what is at stake here. It is really confidence in America. We have lost that confidence. I do not think the Contract for America buys confidence, particularly when you have in that contract this big tax cut. The American public can understand if you want to balance the budget let us stick to balancing the budget, but do not get us confused with also doing big tax cuts.

To the best of my knowledge, frankly, the debate has not been very honest because there are two forms of balancing the budget. There is a fast track, which I think is the Republican form, a steep glidepath, and then there is the more moderate glidepath which the President introduced, and the American public should know what the consequences are by taking either the steep path or by taking the less steep path. Because along the way, if you hurt the most vulnerable people, and we have seen in the Contract With America that we have already hit and hurt rural America, we have hit and hurt the elderly citizens, we have hit and hurt the school children needing lunch programs, we have hit and hurt students who want to go to college by making them pay more. What difference is it going to make if you have a balanced budget if people are too sick to enjoy it, too poor to access college, everything becomes too expensive? You have not really developed this kind of wonderful Utopia that all of a sudden you are going to get with a balanced budget where interest rates come down.

So I think the debate on how you balance the budget ought to be a lot more honest and it should be a lot more honest about who will get hurt if you take the fast slope toward balancing it. And along the way, we are hurting the very people that we want to help.

As you said, we prohibit Girl Scouts from coming in here and lobbying in Congress if they receive any Federal grants, but the big aerospace industry, defense industry, who get billions of dollars, can come in here and lobby for B-2 bombers, even when nobody in the Defense Department wants them, and they are not taken off the list.

So this is really about building confidence in America, and I appreciate both of my colleagues in northern California and the Bay Area for bringing a little sunshine and sunlight into what has been a very closed, mysterious system that I think misses a point of honesty, and the honesty is if we want to balance the budget let us talk about it, but not under the guise of just making poor people pay more so rich people can pay less.

Ms. WOOLSEY. If the gentlewoman would yield, in my hearings and forums

I have been having in my district, I will have 100 or 200 people possibly in a room, and of course somebody in the room is going to disagree with me, and when that person stands up, the rest of the wonderful senior people as well as this person that stands up and gives his opinion sometimes boo or speak out, and I stop that person, those people immediately and say, no, no, this gentleman has every bit a right to give me his opinion as you do. This is the American process, which is about hearing each other and what we care about.

That has been the disappointment in this debate here in the House of Representatives. We have not allowed those who do not agree with what the new majority is recommending to have their say.

One of the other things they tell me in my meetings is besides taking the tax breaks off the table, why are we increasing the defense budget beyond what the Department of Defense wanted in the first place. They would like those increases off the table, also. They are very clear about that. So those are the kinds of inputs I am getting, and I believe that those around the country, besides ourselves, are getting the same kind of input from their constituents.

Ms. PELOSI. I think the polls are showing that the Republican proposal to cut Medicare in order to fund a tax break for the wealthiest Americans is not a popular proposal in all of America.

I want to take up on a point you mentioned about defense. Certainly we all, as we stipulated earlier, we must address the waste, fraud, and abuse in Medicare, as President Clinton tried to do and as we will all, I think, in a bipartisan way address, and let us also stipulate that we are all patriotic Americans and we want to have a very strong national defense.

But as we try to reduce the deficit and balance the budget, why, when the Republican majority is trying to look for inefficiencies in Government, do they take defense off the table? Maybe there are no inefficiencies in the defense budget. It could be. I doubt it, that there are no inefficiencies in any part of the budget. But why is it not on the table?

So when we say to senior citizens in order to balance the budget in x number of years and give a tax break to the wealthiest Americans, you will have to pay a higher premium per month and that could amount to several hundred dollars a year which, contrary to what my colleagues on the Republican side of the aisle may think, is a great deal of money to our senior citizens, while at the same time we are saying but we will hold harmless the entire defense budget and not look there for any inefficiencies or any ways that we can cut.

So it is about process, it is about the process of a closed process with a stealth plan. It is about substance, it is about what this proposal will do, and it is about priorities. If we do not respect the contributions that have been made

by our senior citizens and also recognize that unless we invest in people, as our colleague from California, Mr. FARR, said, what is the use of balancing the budget? Our people are sick, our children are undereducated. If we define a strong country, it certainly is in terms of our national defense and our military might, but it most certainly is even more so in terms of the health, education, and well-being of our people.

I would like to yield back to my colleague from California, Mr. FARR, to further pursue that line of thought.

Mr. FARR. I think the big debate here in Congress is how do we ensure that we have a society moving into the 21st century that is a responsible society. It is not just the rights of individuals that you have heard a lot about, particularly when it got into issues about Waco and things like that; it is the responsibilities of society. We are not going to have what I call the domestic tranquility of this country balanced in a style in which we can all appreciate if indeed you have disenfranchised a lot of people. If parents do not think their kids can get an affordable education, we talk about accessible education, accessible education means you can get there from here, that you have a chance to avail yourself of the great schools. And we have some wonderful ones in the State of California, some of the best in the world. But what good are they if they are too expensive to get to and the kids are not getting into because of cost. What good is a health care program if you cannot access it?

So what happens is things, as we know, they get worse. I think that the one difficulty that is not in this entire Contract for America that they are trying to approach is what happens to the people that do not make it, that fall through the cracks.

Ms. PELOSI. That is laissez-faire. Too bad.

Mr. FARR. Do they end up on the streets as the homeless population we are all very familiar with? I think the security of this Nation, the domestic security is dependent on the confidence that people have in government, and a government that tells you that they are going to help you with one hand, balancing the budget, and with the same hand takes away your own ability to access prosperity is a country that is not telling you the truth.

□ 2115

Ms. WOOLSEY. Mr. Speaker, we are missing another point here. That is that this does not just affect seniors. The sandwich generation comes to me in my meetings, 40-, 50-, 60-, and 70-year-olds say to me, I have a parent in a nursing home. The 70-year-olds could be in a nursing home themselves. But they have got parents they are worried about in nursing homes. They know they will have to start taking on more and more of the responsibility for that parent.

Now, many, many of the sandwich generation also have children that need to go to college, and college education is going up. Loans are going to be far more expensive. These same people are going to want to help their children go to college. They are going to make a choice: Do I send my kid to school, help my child go to college; do I help my parent in a nursing home? And for heaven sakes, where will they ever have any discretionary money to put away so that their children do not have to help them when they are seniors? I mean, we are just squeezing the middle income sandwich generation down to having nothing. They are frustrated and, boy, I do not blame them.

Ms. PELOSI. We talked earlier about the middle income, middle-aged people in America, which includes very many people who are the backbone of society, making such a valuable contribution to the greatness of our country, as they try to do their own jobs, educate their children and feel some responsibility for their aging parents, as you call them, the sandwich generation.

They are so at risk not only under the Medicare cuts but under Medicaid cuts. I think many people are not aware, they think of Medicaid as a poor people program. But very many seniors benefit greatly from Medicaid, whether it is long-term health care or, for example, 5 million American women have their Medicare premiums paid by Medicaid, 5 million American women. Of course that is not the whole number. There are men who have it, too. But women would be particularly hit by this.

These Medicaid cuts compound the problems caused by the Medicare cuts. Poor or nearly poor elderly, those are monthly incomes below \$625 a month, may no longer be assured that Medicaid will provide cost sharing protections for their Medicare. As I say, the Medicare can pay for their Medicaid, their Medicare premiums, copayments and deductibles. The copays and deductibles can rise and these people, where are they going to get the money to pay for that? From their children.

These low income elderly are doubly hurt because Medicare premiums and copayments will increase substantially at the same time that the Medicaid Program stops paying for them. Further, under the Republican plan, there would be no more guarantee of coverage for nursing home care after an individual or family has spent all of its savings. There would be no more guarantee that spouses of nursing home residents would be able to retain enough monthly income to remain in the community.

States would be allowed to place liens on the family home and family farms. In addition to all of that, States would be allowed to require adult children of nursing home residents to pay for their parents' nursing home care, which could be \$40,000 per year. I mean, where are people going to get this money?

If you have a mother or father with Alzheimer's disease, for example, requiring nursing home care and you are trying to put your children through college, you have good reason to oppose the Republican plan. What the Republicans are doing is wrong, and working families deserve better.

I just might add, apart from the money issue, an absolutely shocking part of the proposal is that they would remove the standards from nursing homes. This is the era of Dickens. We are returning to the past. We would eliminate Federal standards for nursing homes. It is appalling.

Ms. WOOLSEY. Mr. Speaker, when I was a youngster, I was in the Girl Scouts. And every Christmas we would sing to nursing homes and go in and out of these nursing homes. This was in the early 1950's. I mean, I am old. I would leave those nursing homes sobbing because here were these old people sitting on newspapers. I had never seen such dismal situations. Well, it is improved now. There is a reason there are national Federal standards for nursing homes. You go in a nursing home and you can pretty much, at least where I live, feel that somebody is being taken care of with quality and dignity.

Well, I just blink and we could go right back to seniors on newspapers.

Ms. PELOSI. It is very hard to understand why they would think that that is a good idea. But it is also easy to understand why they do not want anybody having public hearings to have to come in and testify as to why that is not a good idea.

I did want to put on the RECORD some more testimony from our hearing in San Francisco, but I am pleased to yield to the gentleman from California if he had something further to add before that.

Mr. FARR. Mr. Speaker, I was just thinking about this issue of national standards. It is too bad that they have not really gone out and asked the American public what they think about it. Obviously we have national standards for aviation. We all use it a lot having to fly back and forth from California. We respect those national standards. They do not leave those up to States. Banks have national standards. The stock exchange has national standards. Drugs have national standards.

I think the American public has realized this in areas where there is a vulnerability at risk, you want some national standards. To say to the most elderly people of this country, your future, your time when you may be most vulnerable in life, most frail in life, we are going to leave this up to your State. If they like you and they have money and they want to spend it on you, they will take care of you.

But what about those States—and you never know where you are going to end up in life, you do not know where you are going to end up being an elderly person, where in your hometown you may not be able to afford it. Many peo-

ple move in their elderly age to other States, other locales. Is there not supposed to be some kind of equal playing field here, a common denominator that says in this country that we are going to have standards for people that are in need, that are frail and need special care?

Under this proposal they take them all away. In fact there may not be any standards at all. Is it optional that you do not have to take care of people anymore? What kind of country are we developing here?

Ms. WOOLSEY. The gentleman said if the State has money, maybe they will have high standards. What about if the consumer or the patient does not have money? I bet you people who have will be in nursing homes that have high standards. Those who are the most vulnerable, who are on Medicaid, who have the least, are probably going to be the ones faced with the nursing homes without standards. And I think that is what we are talking about today.

We are talking about not having a system, that just the few that have plenty get to have, reap the rights. We are talking about having a country where everybody knows that they can have, can live in dignity when they are old and when they are at the end of their lives, that everybody has options for an education. That middle income families do not feel, are not going to feel pulled in the middle, apart, because they do not know whether they should help their parent in a nursing home or their child in a school and they are feeling badly because they are not putting any money away.

We cannot have a country that only marches to the beat of the top 6 percent of the wealthiest in this country, because that is not what this United States is built on.

Ms. PELOSI. Well, I agree. I think that the one thing that everyone in this body will agree to, and that is that we are proud of our country, that it is a great country and that it is a decent country. And I do not think that greatness and decency are associated with what you just described about how our senior citizens, who helped build our country, would be treated under this plan.

So I think it is very important for people to understand, certainly we have concerns about the poor in our country. But if you are not poor, you are still very much at risk under this plan. And we have said it over and over again. If you are working, middle-age, middle-income people, you will be more responsible under this plan for your parents' care, paying for it, just at the same time as you may be putting your children through school.

I did want to also say how the Republican proposal would undermine, undermine the excellence of the American health care system. People always say, if I ever were to be sick, I want to be sick in America. We had some very fine testimony from experts who gave us

their professional judgment about what the impact of these cuts would be.

Congresswoman WOOLSEY mentioned one, Dr. Tom Peters from Marin County. I wanted to quote from the statement of Dr. Wintroub from the University of California, San Francisco, one of the finest teaching hospitals in the country. And Mr. Speaker, I will include his statement as well as that of Tim McMurdo, Tom Peters, and Richard Cordova for the RECORD as well.

Mr. Speaker, Dr. Wintroub testified that by eliminating Medicare payments for teaching and patient care, as well as graduate medical education, the Republicans are putting in jeopardy the future of health care delivery in this country. The indirect medical education adjustment, the direct medical education and the disproportionate share payments account for over 15 percent of all Medicare and Medicaid revenues to UCSF, University of California San Francisco, an excellent teaching hospital, and 42 percent of the total budget for UCSF Medical Center is dependent on Medicare and Medicaid.

In addition to that, Mr. McMurdo, chief executive officer, San Mateo County General Hospital testified that the proposed cuts to Medicare and Medicaid programs will have a catastrophic effect on hospitals and clinics that have heretofore relied on the stability of Federal and State payments to help cover the cost of care. This reliance has grown increasingly important since private insurance carriers continue to cut payments to hospitals and physicians as the number of uninsured people continues to grow. It is estimated that hospitals and other providers in our bay area will lose hundreds of millions of dollars over the next 7 years if these cuts are enacted.

Mr. Cordova, from the San Francisco General Hospital, said, you cannot slash both Medicare and Medicaid, Medi-Cal disproportionate share hospital payments for graduate medical education and indirect medical education support and essentially eliminate the entitlement status for Medi-Cal without causing a virtual earthquake in the provision of health care for many of our most needy residents.

Mr. Peters says, the blunt truth of the matter is, if you ridicule and deny the efforts at comprehensive redesign of the American health care system and instead insist only on weakening two of its most important components, the quality and availability of health care for all Americans is threatened.

Mr. Speaker, the point being that even the wealthiest Americans will not have access to the kind of quality of care that exists today when we undermine it for the rest of the country.

I yield to the gentlewoman from California, if she has anything to say on that subject, as she presided over that section of the panel.

Ms. WOOLSEY. What I would say would be pretty repetitive. But just in

general, we did hear that training colleges and training hospitals, health departments, small community hospitals and county hospitals and clinics were subject to closing their doors, if we go with what we are anticipating with the Republican Medicare/Medicaid cuts.

Ms. PELOSI. In the interest of time, Mr. Speaker, I may have to take another special order to go to our third panel. But with your permission, I would like to put their statements in the RECORD. That would be the statement of Mr. Paul Di Donato, Dr. Bergman, and I have one more, but I will reference that.

Dr. Bergman, who is from the Packard Children's Hospital at Stanford said, without a regular pediatrician and with limited financial resources, he was talking about the impact on children, without a regular pediatrician and with limited financial resources, these families will often be forced to wait until the child's illness has progressed to a more serious and complicated level. Beyond the increased costs of providing health care in the emergency room and treating illnesses of increased severity because of delay in initiating treatment, there is the more important cost, there is the more important cost in unnecessary suffering of children. Delays in treatment often lead to lifelong disabling conditions or chronic illnesses.

□ 2130

And that is not about balancing a budget. It is about a false sense of values.

The other statement I want to put in the RECORD is from Anthony Wagner from Laguna Honda Hospital, city and county of San Francisco. I will be addressing his remarks in another special order.

Mr. FARR of California. I just want to close in my part here, again, reminding people that these are cards from my district that I picked up just this last Monday. Here is one just out of the pile from Beth Binkert from Pacific Grove, and I think the key sentence in here is the second sentence that says:

These actions represent broken promises and unfair treatment to your elderly constituency. In fact, the current cuts will substantially increase out-of-pocket expenses for the seniors you represent.

These cards are to all Members of Congress addressed in care of my office, but that key point, "These actions represent broken promises," and I think tonight we pointed out the promise made here is the tax cut for the rich, not the promise to keep people in their elderly years secure in health care delivery.

The testimony referred to follows:

TESTIMONY ON MEDICARE REFORM BY DEL MARTIN, MEDICARE BENEFICIARY, OCTOBER 2, 1995

I've been hearing some cold hard figures about drastic cuts in Medicare. I'm here to tell you what that would mean to me personally.

In 1994 I received \$9,373 in Social Security benefits and \$8,267 in additional income for a

total of \$17,640. I paid \$3,854 or 22% of that income on medical & dental expenses, leaving me \$13,786 for other living expenses.

In 1994 my doctor bills amounted to \$1,130. Medicare approved only \$521.34 (less than 1/2) for payment. We hear a lot about doctors taking advantage of Medicare. In my experience that is simply not true. Medicare clients are lucky to find doctors who will accept Medicare limits. Many doctors say NO to Medicare patients.

The exorbitant expense comes from hospital bills. I underwent outpatient surgery which required the use of operating room and personnel and space for a change of clothes. I was in the hospital for a maximum of four hours. The cost was \$1,790. I did not receive a copy of the itemized bill, but presume Medicare did. It was paid in full without question. From past experience I have found that hospitals charge for everything within sight, whether used or not, right down to a piece of Kleenex tissue. If I were a member of Congress I would take a look at hospital costs.

Hospitals are cutting skilled staff although numerous studies show that adequate staffing of registered nurses and other skilled professionals reduces mortality, infection, accident and readmission rates.

Under the Republican bill to cut Medicare for a savings of \$270 billion over the next seven years, beneficiaries are being pushed to join health maintenance organizations (HMOs) rather than stay in traditional fee-for-service Medicare. They say managed care is the best vehicle for improving care while containing costs. Long ago I learned the hard way that you get what you pay for. Under managed care HMOs are paid whether or not services are used—an incentive to restrict admissions to hospitals, send patients home too soon, reduce staffing and limit access to specialists.

Containing costs by using HMOs means cutting services. Congress is not dealing with reality. Excessive hospital, HMO, insurer and drug company profits are the source of rising costs.

For me an HMO is not acceptable. To retain traditional Medicare coverage will cost me another \$1,000 or more per year. That would raise my medical expenses to about \$5,000 or 27% of my present income, which will diminish in the next seven years.

As a delegate to the White House Conference on Aging and a member of the Leadership Council of the National Committee to Preserve Social Security and Medicare, I have been closely following what is happening in Congress. Seniors are more than willing to carry their share of the deficit reduction burden. We are told Medicare is responsible for only 6% of last year's federal deficit. But Congress proposes a 35% cut, not 6%, to reduce the deficit. That is not fair. In 1994 the Pentagon was responsible for 36% of the deficit. Military bases all over the country are closing down, but defense spending is to increase over the next seven years. That is not fair. Congressional leaders refuse to even consider eliminating tax breaks and loopholes which primarily benefit the wealthy. These loopholes will cost the federal treasury \$2.5 trillion over the next seven years—almost ten times the amount they want to cut out of Medicare over the same period.

You don't need a Ph.D. in economics to know there is something drastically wrong with this balancing act. Too large a burden is being placed on Medicare and thus on America's oldest, and in many cases poorest, citizens.

TESTIMONY ON MEDICAID REFORM BY MALIKA SAADA SAAR, DIRECTOR, FAMILY RIGHTS AND DIGNITY, OCTOBER 2, 1995

In his book, *Faces at the Bottom of the Well*, Derek Bell tells the story of aliens who

come to this country demanding the possession of Black folks. In return for the US government handing over all African American citizens, the aliens promise to alleviate the nation's environmental and economic ills. After a brief and self-serving debate, the US government agrees to the exchange.

Bell's parable powerfully illustrates the disposability of the African American community, that our community is not valued or considered sacrosanct. When I hear Newt Gingrich talk about low income mothers and children, I am reminded of Derek Bell's story. For it is this same concept of human disposability being demonstrated.

The decision to block grant AFDC, and now Medicaid, to basically strip families of a desperately needed safety net, relegates mothers and children to a caste of disposable human beings. These political decisions simply say to our children that their lives are not valuable, that their futures are irrelevant.

Last week, I was in the Bayview speaking to families. One mother, with tears streaming down her face, approached me. She told me about her child: a six year old boy who stood at the window of his room and witnessed a friend, not much older than him, get killed. Since then, the child has suffered severe mental trauma. He is receiving extensive counseling and therapy.

If Medicaid is block granted, this six year old African American boy will not be guaranteed any of the services presently offered to him under Medi-Cal. His life, his future, will be deemed disposable.

This is political savagery, this is child abuse masquerading as Congressional legislation. The consequences of block granting AFDC, dismantling HUD, and eliminating the Federal entitlement status of Medicaid, will inevitably take the shape of children's and mothers' bodies strewn on the streets of America; they will be hungry, diseased, and disregarded.

How dare we do this. How dare we say to an entire generation of children that their country will not protect nor invest in them. This cruelty must be stopped. If it is continued, low income families will stand on the threshold of extinction. And that is absolutely unacceptable.

TESTIMONY ON MEDICARE AND MEDICAID BY BRUCE LIVINGSTON, EX. DIR., HEALTH ACCESS, OCTOBER 2, 1995

Good morning Members of Congress. My name is Bruce Livingston, and I am pleased to have the opportunity to speak to you today—not in my usual capacity as the Executive Director of Health Access, but as a concerned son.

Just two months ago my father passed away. He died of cancer three days after his 65th birthday. Fortunately for him and for my family, he died with very little pain, soon after he was diagnosed with cancer. And fortunately for my mother and for my family, he planned for their security—and their health care—after his retirement.

My father retired from civil service at the age of 62 after serving with the US Air Force in Korea and Viet Nam, and then as the civilian director of 600 staff persons at the Army Corps of Engineers in Alaska. He was an accountant and a very careful financial planner for both the US Government and his family. He made sure that when he retired, all of his bills were paid, his car was paid off, and his house expenses could be covered by his monthly pension. Because he retired as a veteran, he had the VA safety net, but the heart of his medical coverage planning was Medicare and Medicaid. He purchased an HMO plan for my mother. He shopped very carefully so that they had enough coverage in case either he, or my mother fell ill.

When he died, my mother's benefits from his pension were reduced. My mother still receives a portion of his pension and social security, but it is much less than what they received while he was alive. Yet my mother's monthly household expenses have not decreased—they are exactly the same. She has no source of income to fall back on.

If Medicare and Medicaid should be reduced, and my mother is forced to pay higher premiums for less coverage at her HMO, her very tenuous safety net could spring a big hole. Right now, my mother is a healthy woman. The proposed cuts by the Republican leadership would reduce the reimbursement rates to doctors and health care facilities. Who knows how her HMO will respond to these reductions. Hopefully, the standard procedures she now depends on will still be covered. But if she is asked to pay out of pocket for any procedures, her whole world could come tumbling down. It is also possible that the HMO could increasingly deny operations, tests, and access to specialists.

My parents house, their biggest reward for a lifetime of work, could also be lost if long-term care coverage is cut out of Medicaid, or if Congress cuts Medicaid costs by making the homes of the elderly part of their payment.

My father worked very hard to provide security to his family. This was the most important thing in his life. While at his military funeral, before his final twenty-one gun salute, I thought about a conversation I had with him a dozen years after he returned from a two year tour in Viet Nam. I asked him why he fought in that war. He said it was not his role to question the government. He ended the conversation by saying simply, "I wanted to care for my family."

My father would turn over in his grave if he thought that the security he built for my mother was threatened because of proposals to tax cuts for the wealthy. He believed completely in the promises made to him by the US Government—both as a member of the military and as a retired civil servant.

He and my mother made their financial decisions based on the promise that Medicare and Medicaid would be there for them, to cover their health care needs, when they needed it, for as long as they needed, once retired. My parents kept their promises to the US Government. Now, as their son, I ask you to keep your promise to them. Don't cut Medicare and Medicaid. Please don't end these entitlements.

TESTIMONY ON REDUCTIONS IN MEDICARE AND MEDICAID FUNDING

(By Richard Cordova, Executive Administrator, San Francisco General Hospital, October 2, 1995)

Madam Chair and Members of this Committee: I am Richard Cordova, Executive Administrator and Chief Executive Officer of San Francisco General Hospital.

Thank you for holding this hearing and for the opportunity to appear before you today. I am astounded at the paucity of public hearings on the health care impacts of proposed federal reductions. I recognize that the gravity of these proposals demand unusual community outreach and public deliberation. True opportunities for this discourse have been denied in Washington. As such, I appreciate your efforts to bring this discussion back to San Francisco so that we may have the opportunity to share with you our fears and projections for these sweeping reductions in Medicare and Medicaid financing.

The only reason we have had the luxury of debating rather than enacting universal health coverage in recent years is because of a small and extremely fragile institutional health safety net. This safety net is centered around no more than three to four hundred

public and nonprofit hospitals nationwide, a much smaller number of children's hospitals, and a nationwide (but poorly funded) network of community health centers and rural health facilities.

We have already witnessed the deterioration of many of these essential safety net providers in the recent years. With the failure of Congress to enact a national health plan setting the goal of universal coverage, our nation's safety net is facing a crisis today of unprecedented proportions.

The number of uninsured are growing. Many state and local governments are aggressively curbing their own health spending. In other words, this crisis would exist even without the potentially devastating impact of the budget reductions currently proposed for the Medicare and Medicaid programs, which could make this situation substantially worse.

Preliminary analysis of the proposed reductions clearly threaten the quality of and access to care, for already vulnerable members of our community, children, the elderly, the disabled, the working poor, low-income, immigrants and the indigent.

The Republican proposal requires massive reductions over the 7 year period from 1995 to 2002. To achieve this goal, 53% of the proposed \$894 billion in federal reductions comes from health and human services programs.

The Republican Medicaid and Medicare cuts are based on three strategies: Capping growth in expenditures, limiting the scope and benefits, restricting the number of persons eligible for programs.

Public hospitals receive significant funding from Medicaid and Medicare to provide services to the poor and indigent. Roughly 77% of San Francisco General Hospital's revenue are from these sources. As a result, significant funding reductions will severely impact the Hospital's ability to meet critical acute care and emergency care needs for these populations.

In addition to functioning as a safety net hospital, the Hospital provides invaluable services to the entire community. For example, San Francisco General Hospital is the only designated Level 1 Trauma Center in the region and the sole provider of trauma care to San Francisco residents and visitors. The Hospital admits over 2,700 critically injured patients per year. San Francisco General Hospital is also the Bay Area regional Poison Control Center. This Center responds to poison control calls for all nine Bay Area counties.

We are also the largest provider of HIV care, and have been recognized by the U.S. News and World Report as the Number One provider of HIV care in the country, and the only provider of emergency psychiatric services. The federal budget proposal jeopardizes all these programs which benefit the entire San Francisco community.

As a business entity, SFGH is a significant contributor to the San Francisco economy, putting approximately \$220 million back into the City's economy each year.

The National Association of Public Hospitals estimates that San Francisco General will lose \$182 million in Medicaid revenues from fiscal years 1996 through 2002. Over the seven year period, this is the equivalent of receiving no Medicaid revenue at all, for one and a half of the seven years. Reductions of this magnitude would require the Hospital to significantly reduce its outpatient, acute care, emergency care and specialty care services.

Since the early 1980s, California has contained growth in Medi-Cal expenditures by restricting eligibility, limiting the scope of services and instituting select provider contracting for hospital services. As a result, California is 49th in the amount expended

per Medi-Cal beneficiary. California spends \$602 per Medi-Cal child, approximately 40% less than the national average of \$955; California spends \$4,929 per Medi-Cal elder, approximately 45% less than the national average of \$8,704.

The GOP reduction proposals penalize a State for adopting cost savings measures that other states have not adopted.

California will have very few choices if Medicaid reductions are approved, the state will be forced to further reduce eligibility, increase taxes, reduce or eliminate program benefits, or reduce or eliminate other State programs.

Restricting eligibility of Medicaid programs will increase the number of uninsured Americans. According to the Kaiser Commission, 7% to 18% of California's Medi-Cal eligibles may lose coverage by the year 2002.

There are an estimated 156,000 uninsured in San Francisco. This number could increase by 10,000 to 30,000 if the proposed reductions are passed.

The increased burden for providing health care to individuals who are no longer eligible for Medicaid and become uninsured will shift to the counties, at an increased expense.

County health care systems are uniquely reliant on governmental support to provide care to Medicaid and Medicare beneficiaries, the uninsured, working poor families and indigent persons, the City and County of San Francisco is no exception.

Over the past five years, the Department has significantly reduced City and County general fund support for health care services by maximizing reimbursement from the State and Federal governments. As a result, since 1991-92, the Department has reduced the City and County general fund allocation by \$63 million.

Forty-seven percent of the San Francisco Department of Public Health's revenues are from Medicaid and Medicare. The majority of these funds are used to provide primary care in community-based health centers, outpatient and acute care to the poor at San Francisco General Hospital, and long-term care to the disabled and elderly at Laguna Honda Hospital.

Only 16% of the Department of Public Health's funding comes from the City and County. These funds are used to pay for acute care, primary care, mental health, substance abuse and health care services for the indigent, uninsured and incarcerated persons at the County's jails.

In sum, public hospitals and health systems provide a wide range of primary care and specialty services. Some public hospitals, such as San Francisco General Hospital, also provide trauma care, a burn center, high-risk obstetrics and neonatal intensive care, spinal cord/brain injury rehabilitation, emergency psychiatric services, and crisis response units for both industrial and natural disasters. In addition, California's public hospitals train one-third of the State's physician residents. These critical services and activities must be preserved under any federal cost containment strategy.

There are many unanswered questions still associated with these proposals. As the SFGH Executive Administrator, I am weary of "budget blue prints" which require massive reductions without a specific plan of action. I know that you are familiar with the expression, "The devil's in the details." The few details which have been released do not bode well for the protection of a viable safety net in our country.

You can not slash both Medicare and Medi-Cal Disproportionate Share Hospital payments, reduce payments for Graduate Medical Education and Indirect Medical Education support, and essentially eliminate the entitlement status for Medi-Cal without

causing a virtual earthquake in the provision of health care for many of our most needy residents.

Let me remind all of us here today, that these proposals will *increase* the need for safety net health care services, while *reducing* funding to meet this increased need.

According to State law, the County is obligated to continue in its role as the provider of last resort in spite of reduced federal support. The City and County will unequivocally be required to increase its support for health care services in response to these reductions.

Thank you again for holding this hearing. I look forward to our continued advocacy in the spirit of good will and humane public policy.

TESTIMONY ON THE IMPACT OF POTENTIAL REDUCTIONS IN THE MEDICARE AND MEDICAID PROGRAMS

(By Timothy McMurdo, Chief Executive Officer, San Mateo County General Hospital, October 2, 1995)

Good morning, my name is Tim McMurdo. I am the Chief Executive Officer of the Division of Hospitals and Clinics of San Mateo County located approximately 20 miles south of San Francisco, California. Our hospital in conjunction with other health services of the county provide a safety net for over 60,000 individuals who are indigent, uninsured and under insured. Many of the individuals we serve receive Medicare and Medicaid benefits.

The Medicare and Medicaid programs pay for a significant amount of the care that is provided in hospitals and by physicians. Medicare generally accounts for a larger portion of the payor mix in private hospitals with Medicaid (Medi-Cal in California) paying for a smaller part of the payor mix. In public hospitals this Medicare/Medi-Cal payor mix is usually inverted with Medi-Cal often making up the largest group of patients cared for. In both the private and the public sector, however, the programs combined can amount to over one-half of the net revenues received by hospitals to pay for care.

The proposed cuts to the Medicare and Medicaid programs will have a catastrophic effect on hospitals and clinics that have heretofore relied on the stability of federal and state payments to help cover the cost of care. This reliance has grown increasingly important since private insurance carriers continue to cut payments to hospitals and physicians and as the number of uninsured people continues to grow.

It is estimated that hospitals and other providers on the San Francisco Bay Area Peninsula will lose hundreds of millions of dollars over the next seven years if these cuts are enacted. These losses will undoubtedly place hospitals that are currently in financial jeopardy due to rapid changes that have already taken place in the health care market, at a much higher level of risk of closure or significant curtailment of programs and personnel. Moreover, heavily utilized public hospitals will be required to take on an even greater burden of uncompensated care as resources at private hospitals to provide charity care dwindle and as those once eligible to receive benefits from Medicare and Medicaid now find themselves in the ranks of the uninsured. It can be assumed that ultimately counties will bear the brunt of the financial responsibility for caring for this increased number of patients dispossessed by Medicare and Medicaid. If county revenues are not available to pay for this additional burden of care, access to many important medical services will be reduced or possibly eliminated. Since Medicaid is a program pri-

marily designed to support poor women with children and older Americans in need of skilled nursing care and long term care, these cuts could be particularly harsh to those who are most vulnerable and who need the care most.

Most hospitals have already reduced their administrative and overhead cost significantly to stay in step with cuts in reimbursement coming from the private health insurance industry. Additional cuts from Medicare and Medicaid will now directly affect those providing care to patients at the bedside. San Mateo County General Hospital for example, estimates that over 80 positions or 15% of the work force including physicians, nurses, ancillary and administrative staff would have to be eliminated. This would result in 500 less patients per year being admitted to the acute setting and 5,000 to 7,000 patients not being able to see a primary care physician or specialist for outpatient services. At larger hospitals on the Peninsula the effect would be greater. Cuts in Medicare and Medicaid will also negatively affect other traditional services offered by counties. In addition to inpatient hospital care, services for the mentally ill and adults with disabilities, in-home support services for the elderly and disabled, and public health nursing will all be affected.

Hospitals on the Peninsula are also major employers that spend in the aggregate approximately \$200,000,000 per year for over 5,000 employees. Cuts in Medicare and Medicaid would affect local economies as well if major losses of jobs result.

The centerpiece of the Medicare cuts appears to be in incentive programs that will give individuals a chance of keeping traditional Medicare benefits by paying more for those services or shifting to a managed care or health maintenance organization (HMO) arrangement where there is no out-of-pocket cost. The ability of HMO's to control cost and provide high quality care in particular to a population like Medicare beneficiaries who often require higher cost sub-specialty care is unclear. It is clear, however, if the HMO model is adopted, choice and access to hospital and specialty physician providers will be controlled through primary care physicians with the incentive to manage each case at the least expensive level of care as possible. This may create conflict between patients and physicians and other providers as well who must increasingly make decisions regarding care with the financial impact in mind.

In addition block granting Medicaid dollars raises many questions regarding the equitable distribution of those dollars based on actual utilization within the states and the potential for states to spend these dollars on items other than their intended purpose.

In summary, the proposed cuts will have a major impact on service availability and access for patients. However, hospitals and medical providers are bound by legal, ethical and moral standards by which they must provide care. The proposed reduction will not correspondingly release providers from those requirements. How quality can continue to be maintained at the highest standard without adequate resources is an open question. I urge you to oppose the cuts in the Medicare/Medicaid programs on behalf of all individuals who will suffer as a result of them and for the many hundreds of thousands of health professionals who have committed their lives to making the health care system of the United States of America second to none.

TESTIMONY ON MEDICARE AND MEDICAID REFORM BY THOMAS PETERS, PH.D., DIRECTOR, MARIN COUNTY DEPARTMENT OF SOCIAL SERVICES—OCTOBER 2, 1995

Good morning. My name is Dr. Thomas Peters. I am the Director of Health and Human Services for Marin County, and I also serve as the Chairman of the Association of Bay Area Health Officials, and as a member of the Executive Committee of the County Health Executives Association of California.

Our time this morning is limited, but let me share with you some reactions and observations about the current proposals to "reform" Medicare and Medicaid.

I

As a number of you know, I have been privileged to serve as a public health official in the Bay Area for more than 22 years, 17 years in the Health Department here in San Francisco, and the last 5 in Marin County.

Over those years, I have travelled regularly to Sacramento and Washington, and in fact have just returned from Washington D.C., where I had the opportunity, and the shock, of learning more detail about the "radical reform plan" to strip nearly a half-trillion dollars from Medicare and Medicaid.

Having read everything I could find about these proposals, and having had numerous discussions in Washington, I was left frankly astounded, flabbergasted, and chagrined:

Astounded—because the only meaningful hearings on such a complex and critical matter for the country were being held outside the chambers of Congress.

Flabbergasted—because of the striking absence of specificity regarding the "reform" proposals. In California, for even a fraction of the changes being proposed, we would have to hold, under mandate of law, specific, detailed hearings on the cuts and their likely impact. Every cut . . . every position . . . every program reduction, would have to be posted and explained.

Chagrined—because with the notable exception of the efforts of those Congressional members who held the outside hearings, and with the writings of a few commentators, I simply do not sense the urgency of the threat which these proposals pose to the health of every American.

Let's look more closely at these "reform" proposals, at least at the broad outline that has thus far been revealed.

Given the scope, magnitude, and intent of what we now know about the frighteningly-fast proposals to change Medicare, I would say that if the health care field had the equivalent of a District Attorney, the "radical reform plan" would be subject to three violations, each filed as a felony—for fraud, extortion, and assault:

Fraud—To date, we have seen no verifiable evidence that the magnitude of Medicare's problems require a \$270 billion expenditure reduction. It is commonly known that some financial correction in Medicare is needed, and that, indeed, some significant savings could be achieved. But \$270 billion?! Where is the actuarial data to back up this demand?

Extortion—If the attempt is successful in simply declaring the problem to be so severe as to warrant these draconian reductions, then tens of billions of dollars will have to be suddenly extracted from this country's medical providers. This would undeniably undermine the basic financial structure of America's hospitals, clinics, nursing homes, and medical offices.

Assault—Count 1 will be for assault against seniors, for they will be the ones most immediately threatened by these proposals. The sicker they are, the more outcast they will become, and the more harm will befall them.

Count 2 will be assault against working Americans. Not only will they invariably be

forced to pay much more for their health care, but they will also find the health care network on which they and their families depend will be weakened and more inaccessible.

III

Let me turn to the seniors themselves:

I am the health director for the "grayest" county in California—that is, the county with the oldest average age.

As such, I have the advantage, the pleasure, and the privilege of talking with many seniors. They have much to say, so let me for a moment speak on their behalf.

Increasingly, they will admit to being scared, worried, and angry:

Scared—because as they get sicker and more infirm, in many cases needing nursing home and in-home care, it will be less available and less monitored. In addition, they understand (even if some policy-makers do not), that the combined half-trillion dollar reduction of Medicare and Medicaid is a direct threat to overall health care quality and accessibility—in hospitals, in nursing homes, in doctors' offices.

They know that Medicaid is the "safety net" for Medicare, and that many of the poorest and sickest seniors have only this double system to care for them. If you rip Medicare and then go on to shred Medicaid, many will be injured or killed in the fall.

Worried—about the pressures and dilemmas they may cause to their own children—forcing these children into the "sandwich generation," having to choose between the well-being of their parents and their children.

Angry—because the math being presented in these "radical reform" proposals just doesn't add up. While they may be gray, they're not stupid, and they correctly sense a high degree of chicanery.

IV

You will hear the claim that these "reform" efforts are new and creative, cleverly crafted to generate huge savings without dire consequences.

If only that were so.

The blunt truth is that this "radical reform plan" is not creative, but crushing, and it will soon be seen as a matter not of reform, but of regret.

What the just-released analysis by the impartial Congressional Budget Office reveals is a plan notable only for being flat-footed and ham-handed: of the total projected "savings," nearly \$200 billion will be created simply by denying payment for services in hospitals, clinics, nursing homes, and medical offices.

In other words, the masterminds of this scheme intend to earn their money the old-fashioned way: steal it.

And finally, you will hear from the supporters of the "radical reform plan" that these changes, as painful as they may be, are necessary in order to save both Medicare and Medicaid.

Nothing could be further from the truth.

Actually, their claim is reminiscent of the haunting and infamous remark during the Vietnam War: "It became necessary to bomb the village in order to save it."

The blunt truth of the matter is this: if you ridicule and deny the efforts at comprehensive redesign of the American health care system, and instead insist only on weakening two of its most important components, the quality and availability of health care for all Americans is threatened.

V

Let me conclude with this remark.

The public should be aware that certain members of Congress, in giving voice to the justifiable medical, social, and financial

fears engendered by the radical proposals, are being charged with being "morally bankrupt."

That's strong language, and a grievous charge against their integrity. Instead, they deserve credit for courage. For indeed:

What is "morally bankrupt" is proposing profound changes in the American health care system in a manner that is not honest in its explanation of either the intent or the impact.

What is "morally bankrupt" is rejecting and ridiculing the previous calls for comprehensive health care reform, and now proposing instead to weaken the system of medical care for the elderly, for the young—in deed for all Americans.

And what is "morally bankrupt" is to attempt to deny the American people their basic right to debate and discuss issues of profound social change, and of life and death.

The members of Congress seeking to slow the runaway of "reform" in Washington deserve acknowledgement for being morally courageous in their struggles to honor a national commitment to the ill and aged of America. On behalf of the health and well-being of all Americans, we should immediately give these representatives our full support.

TESTIMONY ON MEDICARE AND MEDICAID REFORM BY BRUCE U. WINSTROUB, MD, EXECUTIVE VICE DEAN, UNIVERSITY OF CALIFORNIA, SAN FRANCISCO—OCTOBER 2, 1995

Academic medical centers serve a state and national need:

They ensure Americans the highest quality of health care in the world; and

They are a national resource for this reason.

UC's academic medical centers share a three-fold mission with the nation's teaching hospitals:

Training the next generation of physicians; Performing innovative and life-saving clinical research; and

Providing patient care for the sickest and often neediest patients.

Academic medical centers are instrumental to the vitality of California's economy:

As major employers within their regions; and

As a research engine for California's leading \$7.7 billion biotechnology industry. The industry's three major companies trace their origins to our medical centers.

UC's academic medical centers have responded to California's fiercely competitive health care market by cutting costs and managing care:

\$200 million in cuts at UC medical centers over the past three years. The centers plan to cut another \$75 million in the current budget year; and

US's teaching hospitals are regional centers of treatment and diagnostic innovation and have affiliated with community hospitals, non-profit clinics and physician groups to form efficient and integrated delivery systems. UC has also increased training of versatile primary care physicians.

However, California's academic medical centers face unique issues and circumstances:

California is the nation's most aggressive and competitive health care market. The penetration of managed care is more than twice the national average for the private sector and more than four times the national average for Medicare;

HMOs refuse to share in the responsibility of paying for our teaching mission and are capturing dollars intended to pay teaching hospitals for the greater costs they incur. The California Association of Hospitals and Health Systems estimates the windfall for

California HMOs will be \$280 million this year alone; and

California's teaching hospitals are losing millions of dollars because of the way Medicare calculates payments to HMOs. The Medicare formula for paying HMOs includes special payments—the Indirect Medical Education Adjustment, the Direct Medical Education and Disproportionate Share payments—that Congress intended for teaching hospitals. HMOs are not required to pass through these payments to the institutions that incur the costs, putting medical centers at a competitive disadvantage.

UC is very concerned about the impact of Medicare reform on our ability to carry out our unique teaching and patient care missions:

Several proposals under consideration would slash specific Medicare payments which are earmarked for paying costs associated with teaching and patient care. These payments—the indirect medical education adjustment (IME), the direct medical education (DME) and disproportionate share payments (DSH)—support a significant portion of UC's medical center operating budgets; and

Medicare and Medicaid payments account for 42 percent of our medical centers' net operating revenue. In turn, the IME, DME and DSH payments account for 36.5 percent of the total Medicare and Medicaid payments to our medical centers.

In addition, proposals targeting funding cuts for graduate medical education would have a devastating impact on UC's medical centers:

One plan would cut IME payments by as much as 60 percent; eliminate DSH altogether, and reduce DME funding by as much as 30 to 40 percent;

Under this scenario, UC medical centers would lose as much as \$55 million from the IME reduction alone; cuts to all three programs would represent a loss of more than \$100 million; and

These are real cuts; they would be in addition to other proposed changes and reductions that all hospitals, including UC's medical centers, would have to absorb.

Under current proposals, UC's teaching hospitals would be hurt disproportionately and each of our five medical centers would face dire choices:

We believe that the unique missions of our medical centers should be protected. We believe that Congress should adopt the following principles as it works to reform the Medicare system:

Preserve the core missions of academic medical centers;

Protect teaching hospitals from Medicare reductions that are greater than the overall percentage reduction in the Medicare program;

Fix the current Medicare managed care formula that diverts graduate medical education funding away from the teaching hospitals that incur the costs of training physicians; and

Make graduate medical education a shared responsibility of the private and public sectors.

TESTIMONY ON THE IMPACT OF MEDICAID REFORM ON CHILDREN BY DAVID BERGMAN, MD, VICE PRESIDENT FOR QUALITY OF CARE, PACKARD CHILDREN'S HOSPITAL, STANFORD UNIVERSITY, OCTOBER 2, 1995

Congresswoman Pelosi and other distinguished guests, my name is Dr. David Bergman and I am here today to represent Packard Children's Hospital. I am a practicing pediatrician and Vice President for Quality of Care at LPCH. I also serve as Chairman of the Academy of Pediatrics Committee on Quality Improvement and I have been

involved with numerous research projects assessing the quality of care delivered to children. Thank you for the opportunity to testify today on the impact the proposed reductions in Medicaid will have on children and their families.

I would like to begin by reminding all of us, that when we speak of reductions in Medicaid funding, we are speaking of reductions in access to health care for children.

Not only are there direct impacts on children, such as reducing the number of children eligible to receive Medicaid there are also indirect impacts. Many of the proposed reductions will limit the ability of physicians and children's hospitals to provide the breadth and depth of services needed to provide the high quality of care that children deserve.

As we look at what the financial impacts are on Packard Children's Hospital and other children's hospitals, we are really speaking about the impacts on children, especially low income children, and their ability to get the health care necessary to live full and productive lives.

We believe that increased Medicaid savings and enhanced state flexibility can be accomplished while preserving Medicaid as the nation's health care safety net for children.

In any Medicaid restructuring, we urge your support of three key issues.

1. Ensure equity for California Medicaid recipients;
2. Protect the health care safety net for children from low income families; and
3. Protect children with special care needs.

All three of these areas are important in maintaining good health for children. Children are the healthiest segment of our community, but also other than the elderly the segment least likely to have commercial health insurance. Medicaid is the health insurance for over one quarter of all children.

Congress in its wisdom several years ago, untied Medicaid from welfare and instead tied it to income levels. Most of us do not realize that a majority of the children on Medicaid are white and live in two parent families with at least one working parent. These children need our help. If it wasn't for Medicaid, approximately 40% of all children would be uninsured. Even with Medicaid, approximately 16% of our children are still uninsured.

Fewer dollars translates to more children without health care insurance and less comprehensive coverage for those who are eligible. And no insurance limits the ability of children to get the needed and timely medical care. This may mean that children who are currently seen in primary care clinics—at Packard 89% of our primary care visits are for children who have Medicaid—and obtain well child exams and immunizations, or treatment for acute illnesses will either not receive preventive health care or will be forced to use the emergency room as their "medical home."

Without a regular pediatrician and with limited financial resources these families will often be forced to wait until their child's illness has progressed to a more serious and complicated level all the time hoping the illness will spontaneously resolve.

Beyond the increased costs of providing health care in an emergency room and treating illnesses of increased severity because of delay in initiating treatment, there is the more important cost in unnecessary suffering of children. Delays in treatment often lead to lifelong disabling conditions or chronic illnesses.

California has long been a leader in providing quality health care to its citizens in a cost effective manner. Currently, however, California is 48th in the nation in its per person expenditure of Medicaid funds. For chil-

dren, the average cost per enrollee is \$601 versus \$955 nationally. As a Medicaid growth state, the proposed program cap will not only fail to cover California's growth in eligibles (primarily children) and hospital price inflation, but will perpetuate existing funding inequities and punish California for developing a cost-effective program. We need to ensure equity for California's children.

One way to protect the health care safety net for children from low income families is to maintain disproportionate share as a separate program.

Disproportionate share helps to maintain the health care safety net for children from low income families because Medicaid does not cover the full cost of care. Disproportionate share is a program that was initiated by the federal government and is matched by states to provide additional dollars to hospitals that care for a disproportionate number of patients who receive Medicaid or are uninsured. On average, the base Medicaid payment covers only 80% of every dollar a children's hospital spends to care for a child. Even with the addition of disproportionate share payments, Medicaid on average pays less than the full cost.

Children's Hospitals are recommending that disproportionate share dollars be paid directly to disproportionate share hospital providers and that minimum guidelines for qualification be established. This could save approximately \$6 billion annually.

Without disproportionate share dollars, the barriers to access health care for low income and uninsured children will increase.

Based on preliminary analysis and projected savings outlined in the approved House and Senate budget resolutions, we estimate that the potential long term impact on Lucile Packard Children's Hospital would mean fewer available federal and state dollars ranging from \$38 million to \$105 million over the next seven years.

Next, we must protect children with special health care needs and incorporate minimum national standards for eligibility and access to medically necessary and appropriate care for children.

Many children's hospitals including Packard Children's Hospital have patients from multiple states. This is an even greater problem for children's hospitals located in close proximity to state boundaries. Not only is it essential that all children be treated equitably regardless of where they live, but it is equally important that they have the same access to quality medical care as those fortunate enough to have what private insurance can obtain. By this I mean, that children should be guaranteed access to pediatric specialists and subspecialists.

I offer you an example from the commercial insurance side, of a patient whose family fought for his right to have medically appropriate care by a pediatric subspecialist. Imagine this same situation, if you will, for the typical family who receives Medicaid and ask yourself whether or not the families of these children will be able to fight for the most appropriate medical care to which their children should be entitled or will they be forced to receive inadequate and at times life threatening care.

Recently, we had a child at Packard Children's Hospital who was diagnosed with Wilms tumor. This is a type of kidney cancer unique to children. The child was in a managed care plan and was referred to a surgeon who cares for adults and who had no experience in treating Wilms tumor.

The appropriate treatment requires surgery provided by pediatric surgeons and pediatric oncologists. The father objected to having a surgeon trained in adult urology who had never previously performed this surgery and requested that his child be treated at

Packard Children's Hospital where a leading pediatric surgeon with extensive experience with Wilms tumor was based.

Fortunately, for this patient, the father had the sophistication and resources to have his child be treated by the appropriate pediatric specialists in spite of the managed care plan and physicians denial of coverage. The father later sued the insurer and an arbitrator found in favor of the parent. As a result of his efforts, all insurance carriers in California now have to provide appropriate pediatric specialty services. Should we allow anything less for children receiving Medicaid?

TESTIMONY ON REDUCTIONS IN MEDICARE AND MEDICAID FUNDING BY ANTHONY WAGNER, EXECUTIVE ADMINISTRATOR, LAGUNA HONDA HOSPITAL, OCTOBER 2, 1995

Madam Chair and Members of this Committee:

I am Anthony Wagner, Executive Administrator and Chief Executive Officer of Laguna Honda Hospital, which is located here in San Francisco.

Thank you for holding this hearing, and for the opportunity to appear before you today to discuss the grave implications of projected Federal budget reductions in Medicare and Medicaid financing.

As you may be aware, Laguna Honda Hospital (LHH) serves more patients than any other municipally operated facility in our country. This represents approximately 40% of staffed long term beds in San Francisco. Our 1995 year to date average daily census is 1,170 patients. There are approximately 80 persons on the waiting list for admission to LHH.

Our patients exhibit a wide variety of medical conditions. Over 700 of our patients currently suffer from dementia, at least 60 of these patients exhibit the behavior of "dementia with wandering". This condition requires additional precautions, including the provision of medical care in a locked area, to ensure patient safety. We also provide specialized hospice, HIV and head injury care to our patients. Over 22% of our patients are under the age of 60, with the average age continuing to drop. An increasing number of our patients are exhibiting complex medical and psychological problems. I attribute this increase to societal trends which include increased drug abuse, heightened consequences of risky behaviors and an increase in years of life. Unfortunately, these individuals are too medically compromised to be placed in other institutions.

I stand before you today chagrined by the moral and financial forecasts associated with the Republican proposals for Medicare and Medicaid. As the Executive Administrator of Laguna Honda Hospital, I find myself in the perilous position of interpreting legislation which may portend grave consequences for the health and safety of our patients and staff.

The GOP budget reflects disproportionate cuts in health and human service related programs, a full 53% of the \$894 billion in proposed reductions is slated to come from these programs alone. It is impossible to slash \$182 billion from Medicaid, \$270 billion from Medicare and \$588 million from Substance Abuse and Mental Health programs over the next seven years without compromising the integrity of the traditional safety net, and threatening the ability of providers to offer timely, culturally competent, and cost efficient medical services to a vulnerable population.

Individuals and service providers most acutely affected by these cuts will also suffer from simultaneous elimination or reduction of critical welfare, education, housing and labor related programs.

Let me elaborate on a few of the financial consequences associated with these proposals:

The San Francisco Department of Public Health projects at least a \$2.9 million revenue reduction this year (1995-96) from Medicaid. The reductions would be in long-term care and in acute care. This revenue loss increases to \$69 million in fiscal year 2001-2002 alone.

17% of the State's Medi-Cal expenditures are spent on long-term care. There is a significant need for these services. For example, although Laguna Honda Hospital, has one-third of all skilled nursing beds in the City, it consistently has a waiting list for admission into the Hospital.

Over 93% of Laguna Honda Hospital's budget is based on Medi-Cal revenues. Significant changes to the Medicaid reimbursement rate will result in drastic consequences for our hospital, as well as other long term care facilities in the State.

In San Francisco, this shift will force an increased reliance on the City's general Fund for support. Currently, Laguna Honda Hospital draws no general fund dollars, with the advent of these changes and the elimination of a "State Match Requirement", the county general fund may be forced to assume up to 50% or approximately \$50 million of our currently projected budget.

Laguna Honda Hospital operates a small acute care hospital along with its long term care facility, as such, it is officially designated as a Distinct Part Skilled Nursing Facility. This designation allows for a higher reimbursement rate, than a free standing facility, in recognition of the acuity of these patients. This rate is now vulnerable to an as-yet undefined reduction.

I would be remiss in my responsibilities if I spoke only on the impact of Medicaid reductions. As you are aware the Medicare reductions are equally ominous, especially as they relate to the provision of safe, humane and appropriate long term care. As the nation's population ages, the need for long-term care increases. The Medicare population has doubled since the program began, from 19.5 million in 1967 to 37 million in 1995.

The current House language does not specify exactly how \$270 billion in federal Medicare reductions will occur. The allocation of the "Fail-Safe" spending limit is not defined, thus making it impossible to accurately analyze. None the less, it is obvious that physician and hospital rates will face negative adjustments.

In addition to the funding reductions, the GOP proposes to remove federal standards of care for nursing facilities. Removal of these standards severely compromises the community's ability to ensure high quality, appropriate and timely quality care to residents in these facilities.

Both the House and Senate bill include the repeal of the "Boren Amendment" and related federal provisions which mandate provider rates that are comparable to those paid in the private sector, and that are based on costs.

Finally, I am worried about a proposal which would pay bonuses to facilities in low cost areas with relatively healthy patients, and would penalize facilities in higher cost areas with relatively sicker patients.

In sum, the Republican bill leaves the elderly and their families unprotected. This bill takes away current legal protections from the elderly and their families:

There would be no more guarantee of coverage for nursing home care after an individual or family has spent all of its own savings.

Those elderly whom States elected to cover would no longer have a guarantee of choice of which nursing home or home care provider to select.

There would be no more guarantee that spouses of nursing home residents would be able to retain enough money to remain in the community.

Nursing home residents (whether covered by Medicaid or not) would no longer be protected from the use of restraints, drugs or other poor quality care.

States would be allowed to impose liens on personal residences (including family farms).

States would be allowed to require the adult children of nursing home residents to contribute toward the cost of their parents care, regardless of the financial circumstances or family obligations.

Elderly with incomes below poverty (\$625 per month) would lose their guarantee to assistance with their monthly Medicare premiums, deductibles, and coinsurance.

Given the preliminary information which has been revealed to date on these proposals, I have grave concerns about our ability to continue to provide quality medical care to a growing population with increasingly complex needs.

From increased co-payment requirements, to reduced facility assurances; from slashed hospital and physician reimbursement rates to the ruse of medical savings accounts, it is clear that both patients, providers, facilities, the general population and surely the county government will be forced to shoulder additional and unbearable burdens associated with these cuts.

I sincerely appreciate your attention to this situation, by calling for a special hearing on these critical issues. Thank you for the opportunity to share my views with you today.

I look forward to our continued dialogue, as these proposals take shape.

TESTIMONY ON PENDING CONGRESSIONAL MEDICAID PROPOSALS BY PAUL DI DONATO, SAN FRANCISCO AIDS FOUNDATION, OCTOBER 2, 1995

My name is Paul Di Donato and I am the Director of Federal Affairs for the San Francisco AIDS Foundation. The AIDS Foundation serves over 3000 clients annually with direct client, case management and housing services, develops HIV education and prevention initiatives, provides research and treatment education and engages in local, state and federal public policy advocacy efforts around HIV/AIDS issues, including work on national health care reform last year and the battle to save Medicaid this year. I am pleased to be here to testify about the critical importance of Medicaid to people living with HIV/AIDS in San Francisco, in California and across the nation.

The importance of continued adequate funding of and federal standards for Medicaid—as a matter of life and death for people with HIV/AIDS—becomes crystal clear when one realizes the tremendous extent to which the bulk of people with HIV/AIDS rely on Medicaid. The HIV/AIDS trends in Medicaid are also essential to understand. In fact, when one analyzes these facts, the likely impact on people with HIV/AIDS of the current Republican proposals before Congress becomes frighteningly clear.

Medicaid provides health coverage to over 40% of people with HIV/AIDS nationally, including over 90% of pediatric AIDS cases. In California, this figure is close to 50%. In the Bay Area, it is close to 60%. Medicaid is the largest insurer of people with HIV/AIDS and has become increasingly so through every year of the epidemic. The growth trend in Medicaid coverage of HIV/AIDS health care is astounding. Between 1991 and 1995 alone, the Health Care Financing Administration estimates that Medicaid HIV/AIDS care costs more than doubled. In California, the figures quadrupled from 1986 to 1993.

Medicaid will provide close to \$4 billion worth HIV/AIDS care nationally in 1995, a figure that includes the federal and state contributions. In comparison, the Ryan White CARE Act has been funded at \$656 million for FY 1996, thus making Medicaid the largest, single HIV/AIDS program funded by either the federal government or the states. In California, Medi-Cal provided \$165 million in HIV/AIDS care in 1992-93, the last year for which the state has such figures. Medi-Cal's importance to San Francisco and to California for HIV/AIDS care is not surprising given the impact of HIV/AIDS in these areas. San Francisco has had over 20,000 AIDS cases to date and 1 in every 25 residents (approximately 28,000) is assumed to be HIV-positive; California has had over 85,000 cases of AIDS to date and approximately 150,000 Californians are assumed to be living with HIV.

Medicaid is especially important for people with HIV/AIDS because of the nature of HIV/AIDS itself. Due to the general age and average lifespan of those living with HIV, few people with AIDS ever qualify for Medicare—approximately 4%. Moreover, with the average cost of HIV/AIDS care at \$120,000-\$140,000 per person, HIV/AIDS quickly impoverishes even those who are well off at the start of the disease, thus making self-financing of adequate care virtually impossible for everyone. Furthermore, the private health insurance industry, through a variety of means—legal and illegal—manages to reduce its share of coverage of annual HIV/AIDS health care costs every year.

I do not need to review in detail the federal proposals on Medicaid here: the \$182 billion in cuts by the year 2002; the incentives for states to cut even more from their contributions to the program and the permission to do so; the block granting with its attendant loss of essential federal guidelines, standards and mandates; the incentives for states to implement the barest of bare-bones managed care plans and so on. California will lose over \$19 billion, or 20% of its federal Medicaid monies by the year 2002 under the current Republican Congressional plans. Like other states, California will be free to set new standards for eligibility, services rendered with Medicaid dollars and the like.

Let me say simply and clearly that every major element of these plans will devastate people with HIV and AIDS dependent now or in the future on Medi-Cal.

The funding cuts will result in many PWA's losing some or all of their desperately-needed Medicaid health services with the obvious result being increased illness and premature death;

Mandatory managed care programs without adequate funding and guidelines will also result in decreased access to care and a lower level of care that is inappropriate for HIV/AIDS and other serious, chronic or life-threatening diseases;

The block granting of Medicaid will only compound these problems through the loss of federal guidelines that now protect vulnerable populations and mandate a broad benefits package. The inevitable end effect of block granting will be the loss of essential services for those who need them.

Let me mention one California-specific example of innovative and essential Medicaid-financed care likely to fall victim to these Congressional proposals. In California, we have used waivers to create innovative, humane and cost-effective programs, such as the AIDS Medi-Cal Waiver Program. This program provides nurse case-management and home and community-based care to Medi-Cal recipients with symptomatic HIV or AIDS. In 1994, the AIDS waiver program cost \$5.3 million, yet saved over \$90 million in nursing home and hospital costs, as calculated by the federal government, that

would have otherwise been incurred for these recipients. Such optional programs will likely be the first to go as California attempts to manage Medi-Cal with a dramatic decrease in federal dollars.

It must be made clear as well that there is no safety net underneath the Medicaid system to compensate for these draconian measures. For example, in San Francisco, our Public Health Department, which provides essential HIV/AIDS services and many other essential services, currently receives 40% of its income from Medi-Cal. San Francisco's Public Health Department will not only not be able to make up for this loss in HIV/AIDS care resulting from these Medicaid cuts, but will be hard-pressed to maintain its level of current services. Moreover, Congress is cutting other funds essential to public health departments and urban health care infrastructures, such as funds for mental health and substance abuse.

Ryan White CARE dollars and the non-profit sector that exists in the AIDS community are no solutions. Ryan White monies in the Bay Area and throughout California have always been inadequate to meet the demands of the HIV epidemic; they are already stretched to a breaking point. Moreover, in many Ryan White programs and other city and state funded programs, Medicaid funding provides the foundation upon which other funds are used to build the HIV/AIDS care system. Thus, there is no safety net to catch those who will fall between the ever-widening, soon to be gaping Medicaid/Medi-Cal crack.

Reform in Medicaid may be desirable, even necessary. However, what we are looking at in these proposals moving through Congress now with such speed is not careful reform or effective cost-efficiency; it is a wholesale rampage against the medical safety net in this nation.

Thank you.

Ms. PELOSI. I thank the gentleman, and I yield to the gentlewoman from California for her closing remarks.

Ms. WOOLSEY. My final remark would have to do with health care reform in general. I believe until we are willing to first take the tax cuts off the table, second, do something about defense expenditures beyond what was asked by the Department of Defense, and, third, we must look at the entirety of health care reform, not just balance the budget on the backs of seniors and the most vulnerable and not just take one piece of health care. We must look at the entire health care program.

Ms. PELOSI. I thank the gentlewoman for her participation in our special order tonight.

I would just comment on her role as a member of the Committee on the Budget, thank her for her leadership role there in representing the values of our community. Many of us believe the budget of our country should be a statement of our Nation's values and those values should reflect the priority we place on investing in our children and in the health care of all our people and certainly protections for our senior citizens. We have grave concerns about how those at the low end of the economic scale fare in our country, but we have a large responsibility to middle-income and working people in our country to make sure that they are not paying the bill for everyone, and they

would bear a terrible brunt from these Medicare and Medicaid cuts, unless they think that unless you are a senior, unless you are a poor person, this does not matter to you. They have to know that they are directly impacted by it, and their ability to raise and educate their own children will be very, very much affected by the Republican proposals, which I believe are not a statement of America's values, and I hope that the American people will speak out loudly and clearly to our Republican Members of Congress to make their voices heard to our colleagues so that they will reject this ill-advised and ill-conceived, in-secret proposal to cut Medicare and Medicaid to give a tax break to the wealthiest Americans.

A DEBATE ON MEDICARE AND MEDICAID

The SPEAKER pro tempore (Mr. FOX of Pennsylvania). Under the Speaker's announced policy of May 12, 1995, the gentleman from Pennsylvania [Mr. WELDON] is recognized for 60 minutes as the designee of the majority leader.

Mr. WELDON of Pennsylvania. Mr. Speaker, I wish I was going to take an hour here on a different topic, but I have to respond, along with my colleague, to some of the things that have just been said.

One of the pluses of our great society is you can say anything on the floor of the House. You do not have to back it up with fact. You can say anything you want about anything. Whether or not you believe it is something people back home have to make up their own minds.

I would say the American people have spoken about what this party has done. I would remind my Democrat colleagues before they leave the floor that since Bill Clinton took office, 136 publicly elected officials have switched parties in America, 136. Zero have switched from the Republican Party to the Democrat Party, and 136 have switched from the Democrat Party to the Republican Party, including 5 Members of Congress and the only American Indian in Congress.

So I would say to my colleagues the American people are listening, and your elected officials around the country are coming in droves to support the ideals and the principles of this party.

What we are going to attempt to do is provide some honest information to rebut what you have just said here. Let me read a quote. This quote is from Senator DANIEL PATRICK MOYNIHAN, one of the most stalwart Democrats in the Senate. This quote was from September 17, 1995:

At the present moment, Medicare costs double every 7 years. The Republicans want to slow that down to doubling every 10 years. The Administration is somewhere in between. No one is talking about abolishing Medicare and, indeed, no one is talking about cutting Medicare, especially the rate of growth.

I would say to my colleagues on the Democrat side this is Senator MOY-

NIHAN speaking. This is not some Republican. This is not NEWT GINGRICH. This is your leader on health care issues and on Medicare issues, Senator MOYNIHAN. If you want to quote someone, respond to the quote of Senator MOYNIHAN. Let us be factual, Mr. Speaker, in this debate. Let us stop the use of partisan politics in attempting to scare senior citizens.

Your party does not have a corner on caring for people any more than ours does. I think it is wrong to use mean-spirited attacks to try to scare seniors into thinking someone is trying to take benefits away from them. That is absolutely outrageous.

I yield to the gentleman from California [Mr. RIGGS].

Mr. RIGGS. I appreciate this opportunity to address my fellow northern Californians in the spirit of bipartisanship. I thought I would come over to the floor and perhaps present a little different perspective than what our colleagues and C-SPAN viewers may have just heard in this last hour.

We have just heard and witnessed a display of incredible partisanship, the kind of scare tactics that have nothing to do about what is really right for this country and everything to do with a naked attempt by the Democratic minority to regain power and regain control of the Congress.

My colleagues failed to point out, as they were talking about these draconian cuts, as they were displaying postcards which I assume are paid for by some special interest group, they failed to point out the House and Senate budget conference report calls for an increase, and I will be happy to show you the numbers, by the way, if anyone would care to walk across the aisle and see them, the House and Senate conference budget report calls for an increase, I think we understand plain English, an increase in Medicare spending in California per beneficiary from \$5,821 today to \$8,839 in the year 2002.

Furthermore, the House budget conference report calls for an aggregate of \$50,283 per Medicare beneficiary in California over the next 7 years. That does not sound like the kind of draconian cuts that I just heard you describing.

In fact, witnessing this whole display really makes me remember the words of Will Rogers, or maybe it was Woody Allen, who said, "No matter how cynical I get, I just can't seem to keep up."

I also want to point out, before the gentlewoman from Sonoma County leaves, I want to point out to her, of course, any other colleagues, I want to point out that the gentlewoman just sent to her constituents at taxpayer expense a so-called franked newsletter, a franked mailer. This is one of the most outrageous and cynical things that I think I have seen in my service in Congress, because it says in the flier, "I am outraged that Speaker of the House NEWT GINGRICH and the extremists in Congress are cutting programs." Then it goes on to say,

"Sonoma County seniors will have to empty their wallets in order to make up for a \$270 billion cut to Medicare."

Here are the House-Senate budget conference figures, an increase per beneficiary, \$5,000 today, \$8,000 in 7 years, an aggregate per beneficiary in California of \$50,283.

Furthermore, these folks in the minority party go on and on and on, but I do not hear them embracing the President's proposal. Is the President not in fact the leader of the National Democratic Party? And the President, finally, after months of procrastination, sent up to Congress a revised budget proposal, and he proposes in this revised budget to address the inflation rate in the Medicare program. He has recognized that Medicare, in recent years, has been growing at a nonsustainable rate. He, too, wants to control the inflation rate.

In fact, according to the nonpartisan Congressional Budget Office, the President's proposed savings in Medicare are \$192 billion compared to the \$270 billion in our plan, and that difference, according to the nonpartisan Congressional Budget Office, $\frac{7}{10}$ ths of 1 percent. So I do not understand, again, unless this is all about partisan politics and a naked power grab in an attempt by the Democratic minority to regain control of this Congress. I do not understand what this special order is about, because surely our colleagues are not recognizing the inherent fundamental problems in the Medicare program.

First of all, they are not acknowledging that average beneficiaries receive far more than they pay into the system, and that is, we all have access to these numbers, but the average two-income couple receives \$117,200 more than it contributes or pays into the Medicare trust fund. The average one-income couple receives \$126,700 more in benefits than what they pay into the trust fund.

Even more alarmingly, here is the fundamental problem with Medicare: The pool of taxpayers funding Medicare is shrinking. When the program began in 1965, we have roughly $5\frac{1}{2}$ taxpayers supporting each Medicare beneficiary. Today it is 3.3 taxpayers for each beneficiary; and by the year 2035, the ratio, with the baby-boomers reaching retirement age, is going to shrink to 2 taxpayers supporting each beneficiary.

You do not have to be an insurance underwriting expert. You do not even have to understand actuarial tables to realize there is a major problem in the Medicare trust fund that requires, in my view, an honest bipartisan approach to solving this problem.

We heard none of that again in this past hour, so I can only deduce from again, their presentation, if you want to call it that, our colleagues on the other side of the aisle are proposing other alternatives for fixing Medicare. So what would those alternatives be?

Well, the Medicare trustees, which includes three Clinton secretaries and

the administrator of the Social Security Administration, have told us we do have two choices.

Ms. WOOLSEY. Mr. Speaker, point of personal privilege.

Mr. RIGGS. Mr. Speaker, regular order.

Mr. WELDON of Pennsylvania. Regular order, Mr. Speaker.

The SPEAKER pro tempore. The time is controlled by the gentleman from Pennsylvania.

Ms. WOOLSEY. The gentleman from Pennsylvania [Mr. WELDON], point of personal privilege, the gentleman referred to me. May I respond?

Mr. WELDON of Pennsylvania. I will yield to the gentlewoman at the appropriate time.

Continue.

Mr. RIGGS. I thank the gentleman again for yielding.

The Medicare trustees put the Congress on notice back in April benefits would have to be reduced by 30 percent or taxes raised, payroll taxes raised, by 44 percent to restore Medicare solvency, unless changes are made to the program as we are proposing.

I would tell the gentleman from Pennsylvania I can only deduce by this presentation we just heard and saw from our colleagues that they are either in favor of reducing benefits by 30 percent and rationing health care benefits or raising payroll taxes by 44 percent, which would wipe out the economic recovery, such as it is in America today, and destroy literally tens of thousands of jobs in the process.

So again I hope we can get past this very cynical, naked display of partisanship that we just saw, this blatant abuse of, as far as I am concerned, of the taxpayers' precious dollar and really have an honest debate and if our colleagues on the other side of the aisle who now, of course, not having even looked our direction over the past hour, of course, not being willing to yield to us, want to have a legitimate debate, I say to them, I would be happy to meet with you here in this august Chamber and schedule a debate.

We will have an honest, open, bipartisan debate, not again these attempts to score strictly partisan political points, because I think that does a disservice to this country. I think we ought to elevate the debate above, again, this political rhetoric that we heard in the last hour.

I thank the gentleman from Pennsylvania for yielding.

Mr. WELDON of Pennsylvania. Let me just say, before I yield to my colleagues on the other side, I will in fact yield to them despite past hours of times where Members of your side would not yield to our Members, namely, I was over here one night with the gentleman from Pennsylvania [Mr. GREENWOOD], who tried repeatedly to get an honest dialog going, but you would not allow that to take place, even though there was no attempt to have bipartisan spirit, I will allow the gentlewoman to respond and have some

comments while the gentleman from California [Mr. RIGGS] is still in the Chamber.

Ms. WOOLSEY. I really did come here to talk to you about fire prevention and be with you on that debate.

Since I was referred to, I do, out of a point of personal privilege, want to respond.

First of all, I would like to thank my colleague from north of me for showing my newsletter, which was actually sent out with the newspaper and it was not franked and it cost a third less at least of what it would have if it had been franked. But it is a newsletter I have gotten compliments about all around the district. People appreciated it. They do appreciate communication from the person that represents them in Congress.

I would like to ask the question about all this rhetoric. One, I do not think you listened to what went on in the hour before, when we were up here. Otherwise you would not be able to accuse us of not answering questions. We were responding to what we heard earlier.

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But I would like to ask you, will you take the tax breaks off the table so that we actually can have an honest debate about Medicare and Medicaid and balancing the budget? Would the gentleman not vote for that?

Mr. WELDON of Pennsylvania. Reclaiming my time, I yielded to the gentlewoman thinking she was going to respond to a point of personal privilege about something that our colleague from California said. Evidently that is not the case. I thought the gentlewoman was going to make a complaint about what he said being false or erroneous.

Mr. RIGGS. If the gentleman will yield, I do want to respond to the gentlewoman, because I was, again, just quoting from a flier that was actually sent to me by a disgruntled constituent who came across it somehow. Of course, we can acknowledge that we both represent parts of a single county, Sonoma County, in northern California.

My concern is that, again, I am happy to make this available to anybody who wants to look at it carefully, but my concern is there is no factual information in here. That is where I ask the question. You claim a \$270 billion cut to Medicare. In effect, I would ask the gentleman from Pennsylvania to yield to anybody on that side who wants to acknowledge that the numbers that are actually in the budget resolution, which I will now say for the third time, an increase in California that is higher than the national average, an increase in spending per Medicare beneficiary from \$5,821 today to \$8,139 in the year 2002, an aggregate per beneficiary of \$50,283 over that time period.

Would it not have been more balanced, would it not have been in the

spirit of bipartisanship, to perhaps mention those numbers in this newsletter, which again I am assuming was produced and distributed at taxpayer expense? Would it not have been more honest to inform your constituents of the conclusions in the Medicare trustees' report, the Board of Trustees, Old Age, and Survivors Trust Fund, 1995 annual report? There is no reference to that anywhere in here.

As I pointed out earlier, there are three Clinton Cabinet Secretary members and the Administrator of the Social Security Administration serving on that board of trustees.

I would also like to point out that just 2 years ago, the President of the United States stood here in this Chamber, up at that podium, and said, and I have the actual quote, in his 1993 address to Congress, "Today, Medicaid and Medicare are going up at three times the rate of inflation. We propose," this was in the President's health care proposal, "We propose to let it go up at two times the rate of inflation. This is not a Medicare or Medicaid cut." But I believe that is the term you use in your newsletter.

That is the President of the United States. This is not a Medicare or Medicaid cut. So when you hear all this business about cuts, let me caution you that this is not what is going on. We are going to have two increases in Medicare and Medicaid and a reduction in the rate of growth.

That pretty much summarizes what we have been talking about in our plan.

I want to point out one other thing. There is no link to tax cuts. Apples and oranges. Medicare savings can only be used to save Medicare. The President, of course, has recently changed his rhetoric, claiming, again quoting the President, "Not one red cent of the money being paid by seniors will go to the trust fund. It will go to fund a tax cut that is too big." Notice he says too big, because the President also favors some form of middle-class tax relief.

The President is wrong. Under current law, premiums and payroll taxes paid into the Medicare Trust Fund can only be used for the Medicare Program. This is true of both the trust fund that pays hospital expenses, part A, and the trust fund that pays physicians and other expenses, part B. As the Medicare trustees themselves stated in their April 1995 report, "The assets of the Trust Fund may not be used for any other purpose."

Mr. WELDON of Pennsylvania. I thank the gentleman for those comments. Let me say what offends me most about the debate on this issue is what has become nothing more or less than gross partisan attacks. That is what offends me. Let me tell you why. I am a Republican who works with the other side on labor issues, proudly. I work with the other side on environmental issues, wetlands protection, endangered species. I am in front on all of those issues working with Members on the other side. I am working with the

other side even in areas of defense cuts. I voted to eliminate the B-2 bomber, which I heard many of my colleagues tonight say only Republicans are concerned about strong defense. I can look at the votes and the delegation of our colleagues from California and that vote in particular.

But the point is, you have turned this into partisan name-calling, trying to scare seniors, giving us the impression tonight that only Democrats care about kids and seniors. Let me tell you, I am the youngest of nine kids. My mother is 85. We were born and raised in a poor town. I was the first to go to college. She has 55 grandkids and 38 great-grandkids, all living today. My mother has no pension. She relies on Social Security and Medicare and Medicaid.

I resent having anyone on the other side saying I do not care about my mother. Who are you to say that we as Republicans are insensitive to the concerns of seniors? I taught school in a public school for 7 years in west Philadelphia and adjacent. I ran a chapter 1 program with economically deprived kids. I resent the fact that you stand up here in a 1-hour special order and try to portray Republicans as not being concerned about human beings, and that is exactly what was said tonight. I heard my other friend and colleague from California say, and you know, they do not want to cut defense.

Ask the one million people in this country, the United Auto Workers, ask the Electrical Workers, who have lost their jobs in plants in southern California, in Boeing and GE. Ask them if we have cut defense at all. One million men and women have been downsized because of 9 years of defense cuts, not cuts in the rate of increase, but actual real cuts in terms of defense spending.

So all I am saying is why can we not move beyond the partisanship and discuss this as intelligent human beings? The people back home do not want to see your side get up and call us names and us get up and call us names. They want us to solve problems.

Ms. WOOLSEY. First of all, I would like to be clear that we did not say that you did not care. We talked about what was being proposed. Second, I would like to say, if you want that debate, why did we have 1 day of hearings in the Committee on Ways and Means?

Mr. WELDON of Pennsylvania. We have had debate on this issue for the 9 years I have been here. Talking about 1 day of debate in the Committee on Ways and Means is not about what is going on in this country on this issue, or I have been living in a vacuum. I have that debate at town meetings every day.

Ms. PELOSI. If the gentleman will yield, the gentleman knows the esteem with which Members on this side of the aisle hold him for the values and courage he has demonstrated on his own side of the aisle on these issues. But it is amazing to hear the gentleman be so surprised that people will comment on

a plan, and, yes, we have talked about these issues in general, but in terms of subjecting the particular proposal to the public scrutiny, that has not been done.

I appreciate what the gentleman said about chapter 1 and his participation as a teacher teaching disadvantaged children. That is why I know the gentleman probably shares a concern that many of us have that nearly \$1 billion was cut out of the Labor-HHS budget for that chapter 1 program.

When we talk about the defense budget, the point is we are all for a strong defense, and, God knows, nobody came here and said only the Republicans care about a strong defense. We all care about a strong defense. The point is that when we subjected the budget to cuts, both the rescission bill and in preparing for the budget for next year, defense was off the table. In fact, there was \$7 billion more in the bill than even the administration had asked for, and billions more than last year's budget.

So it may be the appropriate number. It may be the exact appropriate number. All we are saying is, as we subject all of our spending to the harsh scrutiny, why is defense not on the stable?

Mr. WELDON of Pennsylvania. Mr. Speaker, reclaiming my time, as a member of the Committee on National Security, it was President Clinton's Defense Secretary, Les Aspin, who came up with the bottoms up review who told us what we needed to protect this country. To meet Secretary Aspin's bottoms up review, the General Accounting Office said President Clinton's plan was \$150 billion short. The Congressional Budget Office said his plan was \$60 billion short. Democrats like the gentleman from Missouri, IKE SKELTON, on our committee, came out with their own budget saying he was \$44 billion short. The President stood in this very well in the State of the Union speech this year, and what did he say? We need to put \$25 billion more back into defense.

That was not me standing in the well there, it was the President of the country, who is the leader of your party.

Ms. PELOSI. If the gentleman will yield further, the gentleman is talking about increases in defense spending, an overall number. We are talking about what are those dollars spent on and how can there be savings of waste, fraud and abuse and inefficiencies in the defense budget that is subjected to the same kind of scrutiny that the rest of the budget is? It is about that.

Mr. WELDON of Pennsylvania. Reclaiming my time, I will say that I am just as much for cutting out waste, fraud and abuse as anyone, and will take a back seat to no one in attempting to reduce defense spending, whether it is through cutting the Office of the Secretary of Defense, which we are doing by 25 percent this year. While defense spending has gone down, the number of people in the Secretary's Office has gone up dramatically, or,

whether it is by putting in procurement reforms.

But let me say if we are talking about reforming, I never hear the other side, and maybe even some on my side, talk about the waste, fraud and abuse in human service delivery. I looked at a study that was done by the Baltimore Sun last December, and for any of our colleagues listening to this debate tonight, I will be happy to provide a copy of that study.

The Baltimore Sun did an exposé on SSI [supplemental security income]. They found that it is one of the grossest programs in terms of waste, fraud and abuse this country has. Now, whether he talked about some of the sufferings of poor people, which I can very well relate to, believe me, let me say this: Why do we not hear anyone talking about the example that was given in the Baltimore Sun of a family in Louisiana, a common law couple living together, where the mother has now been certified to get SSI because she is too stressed out to work, the father was certified to get SSI because he is overweight and can't work. They have five teenage boys, and because, after a number of tries, the mother was able to get all five kids certified as operating below their functional level, now has all of them fully qualified for SSI, that that family is receiving \$47,500 a year, tax free.

Let me say to my colleagues back in their offices, and to the constituents all across the country, let me repeat that number again, just in case there are senior citizens back home that did not hear it correctly: \$47,500 a year for one family in Louisiana documented by the Baltimore Sun as receiving SSI benefits.

When the reporter asked the mother, "What do you say about receiving all this money?" She said, "I am entitled to it."

You know what? She is. Do you know in fact that under the current guidelines established by the minority party when they were in control, she is not violating the law. She is entitled to \$47,500 a year.

Then the reporter went on to ask her, "Ma'am, how much of this money do you use to help your kids improve themselves?" She said, "I do not use any of that for that. They all have teenage girlfriends, they are teenagers, I give them \$25 a month total to spend on their teenage girlfriends."

To our senior citizens listening across America to this debate, I hope they ask the question to Members of Congress, what are you doing to cut the waste, fraud and abuse out of the SSI system, which is completely out of control?

Let me also further state an example given to me by my good friend and your colleague from California [ELTON GALLEGLEY] when he brought in to me a four-page brochure, printed in Spanish, paid for by the taxpayers of this country. That brochure being distributed in Mexico today, and says anyone who is

pregnant can go to a hospital in ELTON's area and receive prenatal care, postnatal care, deliver the baby, the baby becomes an American citizen, and, furthermore, in Spanish it says the mother cannot be turned in to the Immigration Service.

I wonder if our taxpayers around the country know that their money is going to illegal immigrants to come in and have their children delivered. Is that waste, fraud, and abuse, or only in the case of the Pentagon or others?

What I am saying is this debate should be based on substance, it should be bipartisan, and it should not be this rhetorical name-calling back and forth, because there is enough waste here that all of us should be attacking it. If there is waste in defense, we should be doing it bipartisan. If there is waste in human services, you should be joining with us. If you are not joining with us, you are only ignoring one part of the problem. That is what I object to.

Even though we were not here to get time, I yield to my colleague.

Mr. FARR. If the gentleman would have asked for it, we would have yielded.

Mr. WELDON of Pennsylvania. That would have been a change from past practices of these 1-hour speeches.

Mr. FARR. We are all Californians. We yield a lot.

First of all, this issue about getting to the merits of the debate, and I appreciate that, we want to get to that, and I think it is appropriate. Tonight we generate a debate on the floor that we have not been able to have in committee. I would be willing to come down here and do that and hope we schedule that. I think the real big issue here, and I think you can understand this, if you go out to our constituency and on the one hand are telling them look, we are going to balance the budget; everything is targeted in this, that is why these cuts are in here. Then you turned around and say, by the way, we are also going to give a big tax break.

That is why the phoniness comes. People do not think you can do both. I do not think you can do both. If you really legitimately believe that this whole issue is just related to sort of waste, fraud and abuse, then let us take the tax cut off the table. Just have the Republicans abandon that.

Mr. WELDON of Pennsylvania. Reclaiming my time, what I would say to the gentleman is the Republican Conference came up with a proposal for America, across the board, that we put forth to the American people in last November's elections, and the American people responded overwhelmingly.

□ 2200

As I mentioned in the beginning of my talk, in case my colleagues have not been aware of this, since the President took office, 136 public elected officials have switched parties. None have switched to your party. One hundred thirty-six have switched to our party from California, from Washington,

from Maine, from the south, including five Members of Congress.

But let me say this to my colleagues, where I find fault with your holding up this issue of tax cuts is, where is your proposal to save Medicare? This is the report issued by the three cabinet members and signed not by Republicans, but by Robert Rubin, Robert Reich and Donna Shalala. They said, and I quote, the fund is projected to be exhausted in 2001.

So my question for my colleagues is, where is your plan?

Mr. FARR. We have a plan, the President's plan, and it is a good plan.

Mr. WELDON of Pennsylvania. So the gentleman is saying it is the President's plan.

Mr. RIGGS, correct me, would you read what the President's plan calls for?

Mr. RIGGS. Mr. Speaker, absolutely, I would be happy to, if the gentleman would yield. And, of course, both plans, our proposal to fix and strengthen Medicare and the President's newest budget, have been now reviewed and scored, as we say back here in Washington, by the nonpartisan Congressional Budget Office, and I repeat, President Clinton's savings from Medicare amount to \$192 billion over seven years compared to the \$270 billion Republicans will save.

The truth is, Bill Clinton's newest budget would allow Medicare to grow by 7.1 percent, while the Republican budget would allow Medicare to grow by 6.4 percent. When you cut through all the rhetoric and scare tactics, the difference in growth rates in Medicare spending in the Republican budget and in the Clinton plan is only 7 tenths of 1 percent.

Mr. WELDON of Pennsylvania. Mr. Speaker, reclaiming my time, I ask each of my three colleagues from California, do they now publicly state on the record that they support President Clinton's plan, which, in fact, cuts Medicare by what amount or reduces the level of growth by what amount?

Mr. RIGGS. Mr. Speaker, the President's savings, because remember, both his plan and our plan continues to increase Medicare spending, but at a slower rate. His savings is \$192 billion over seven years.

Mr. WELDON of Pennsylvania. Mr. Speaker, I yield to the gentlewoman from California to ask if she supports that initiative?

Ms. PELOSI. Mr. Speaker, I was seeking recognition for a couple of different reasons, but I would be pleased to address that point.

Mr. WELDON of Pennsylvania. Does the gentlewoman support that?

Ms. PELOSI. First of all, any savings that come, any cuts in Medicare-Medicaid, if they are deemed to be there, should be plowed back into Medicare.

Mr. WELDON of Pennsylvania. Does the gentlewoman support that level of change?

Ms. PELOSI. No, I do not support the President's level of cuts.

Mr. WELDON of Pennsylvania. So the gentlewoman does not support the President's plan.

Ms. PELOSI. Not the level of cuts. But we cannot just—the point is, I support the President's approach, which is—

Mr. WELDON of Pennsylvania. But the gentlewoman does not support the President's change?

Ms. PELOSI. The savings that come from his proposal are to be plowed back into Medicare.

Mr. WELDON of Pennsylvania. But the gentlewoman does not support that plan?

Ms. PELOSI. I do not support his level of cuts.

Mr. WELDON of Pennsylvania. Which plan does the gentlewoman support?

Ms. PELOSI. I support a plan that approaches—

Mr. WELDON of Pennsylvania. Which plan is that?

Ms. PELOSI. A plan that approaches—

Mr. WELDON of Pennsylvania. No, which plan is it? Identify it by name.

Ms. PELOSI. It does not have a name. It is a plan that says—

Mr. WELDON of Pennsylvania. Is there a plan?

Ms. PELOSI. The plan is let us have universal access for all Americans to health care.

Mr. WELDON of Pennsylvania. Well, whose plan is it?

Ms. PELOSI. The gentleman is very clever. He makes a great long speech—

Mr. WELDON of Pennsylvania. Who has the plan?

Ms. PELOSI. About how we should be civil to each other in a debate. I do not have to have a plan.

Mr. WELDON of Pennsylvania. OK, so the gentlewoman does not have to have a plan.

Reclaiming my time. Moving on to the gentlewoman from California.

Ms. PELOSI. Sir, sir, I have a plan. It is called Medicare.

Mr. WELDON of Pennsylvania. The gentlewoman from California, does she have a plan? Excuse me.

Ms. PELOSI. It is called Medicare.

Mr. WELDON of Pennsylvania. Regular order, Mr. Speaker.

The SPEAKER pro tempore (Mr. FOX). The gentleman from California controls the time.

Mr. WELDON of Pennsylvania. Does the gentlewoman from California support the President's plan?

Ms. WOOLSEY. I want to say I am going to repeat what—

Mr. WELDON of Pennsylvania. Does the gentlewoman support the President's plan?

Ms. WOOLSEY. No, I do not support the President's plan.

Mr. WELDON of Pennsylvania. Mr. Speaker, now reclaiming my time, does the gentleman from California [Mr. FARR] does he support the President's plan?

Mr. FARR. I want to see us have a debate on the President's plan in your committee.

Mr. WELDON of Pennsylvania. Does the gentleman support the President's plan?

Mr. FARR. We cannot even get a debate on it.

Mr. WELDON of Pennsylvania. Does the gentleman support the President's plan?

Mr. FARR. I cannot support it. You will not bring it to the floor.

Mr. WELDON of Pennsylvania. Mr. Speaker, we now have the three Members of Congress, who spent an hour on the floor tearing apart the Republican plan, saying it was outrageous, it was insensitive, was not compassionate, and now we have, after each of them have been read the President's plan and said there is a plan out there, it is the President's plan, now have said individually they do not support the President's plan.

That is exactly the problem. And let me point out what this debate has come out to.

Ms. WOOLSEY. Will the gentleman yield?

Ms. PELOSI. Would the gentleman yield?

Mr. RIGGS. Regular order, Mr. Speaker.

The SPEAKER pro tempore. Mr. WELDON has the floor.

Mr. WELDON of Pennsylvania. Mr. Speaker, I will quote Democrat Chicago Mayor Bill Daley in an article in the New York Times, and I quote. "The only message we have got is the same one we had in November. The Republicans are going to cut Social Security and Medicare. People look at it and say forget it, we don't buy that. The sky isn't falling".

This is not NEWT GINGRICH, this is the Democratic Mayor Bill Daley saying here we go again. We are going to scare the seniors. Like the attempt was made when Ronald Reagan came in to convince seniors that now Republicans were going to end Social Security. It was a scare tactic for nothing less than partisan politics.

And I will again quote Mr. MOYNIHAN, the most respected Member of the Senate on issues involving Medicare and health care. This is from September of this year on David Brinkley.

At the present moment, Medicare costs double every seven years. The Republicans want to slow that down to doubling every ten years. The administration is somewhere in between. No one is talking about abolishing Medicare, and, indeed, no one is talking about cutting Medicare, especially the rate of growth.

Now, Mr. Speaker, if we could get beyond the rhetoric and have an honest debate and Democrats present an honest alternative, if other Members do not like the President's, they should put their plan up. We cannot say we are not going to cut anything, that is not realistic.

Ms. PELOSI. Mr. Speaker, would the gentleman yield?

Mr. WELDON of Pennsylvania. Be happy to yield.

Ms. PELOSI. Mr. Speaker, I thank the gentleman, and I do want Mr.

WELDON to get around to his special order, because he has been such a tremendous leader in the House on fire safety, but I want to respond to him directly about his question about the plan.

The plan I support is called Medicare. I do think that when we talk about the trustees talking about needing some shoring up, it always has. A half dozen times we have had to shore up the Medicare trust fund, and we will do it again. And we can address the waste, fraud, and abuse issue as well. But what we really need is access to universal health care in America to reduce the rising cost of health care in our country which will then have its impact on Medicare costs and Medicaid costs.

So the plan that I support is one that has been successful and it is called Medicare.

I just want to make one other point. The gentleman talked about some anecdotal evidence of abuses at SSI. I am with him on that. Put it all on the table. Subject it all to the harshest scrutiny. Our complaint is not that social services are not subject to scrutiny. We do not fight for them so that people can waste money, we fight for them so people's needs are met. Our complaint is everything is not on the table.

Mr. WELDON of Pennsylvania. Mr. Speaker, reclaiming my time, I appreciate the gentlewoman's comments, and I respect her, as she knows, as one of the tireless workers on behalf of human needs in this Congress and I respect that. But let me say what offends me is that I do not hear the same level of special orders, of dialog over here, talking about the abuse of the human service delivery programs in this country is I hear with the rhetoric going on with Medicare.

This issue of SSI is not new. It is not some anecdotal comment. In fact, the money that is being used to take care of families who can now qualify their kids as operating below their grade level is known as crazy money. And all over the country parents are going to psychiatrists to get their kids qualified so they can collect SSI forever. That is outrageous, because it takes money away from kids who have legitimate needs, and it takes money away from legitimate concerns of seniors who have the need of SSI.

Mr. Speaker, what I am saying is, we have to admit in this body, both sides, that there is gross waste and abuse all over. We need to stop scaring people. The worst part about what I heard tonight is scaring seniors. No one wants to hurt senior citizens. I am not going to vote here to hurt my 85-year-old mother or her friends in my hometown or the town where I was the mayor, which is the second poorest town in my county. I will not vote to do that.

We have to stop the rhetoric of scaring seniors into thinking the bad Republicans are going to rob them and take their benefits, and that is what is

being said here, and that is what offends me.

I yield to my colleague.

Mr. RIGGS. Mr. Speaker, I appreciate the gentleman yielding, because I want to add to the other quotes he has cited here tonight, which I think are very important, helpful, and instructive, for the—well, I will not call it a debate because I think we are back at a point where we are having a bit of a dialog.

I want to add the comment from our respected and esteemed colleague from northern Virginia, Congressman JIM MORAN, who said in the Hill newsletter on September 27, "The Republican Medicare preservation act is not nearly as draconian as it was assumed by us Democrats." Then he pauses and goes on to say, "I am not sure how many of us would be willing to admit that."

We would like to have a constructive debate on our proposal, and certainly on any substitute proposals. And just to set the RECORD here straight tonight, I have heard the Speaker of the House, NEWT GINGRICH, say more than once that he will use his power and prerogative as Speaker to make in order on the House floor, when we actually take up Medicare legislation next week, any alternative proposal that your side of the aisle wants to put forward; or, for that matter, he will make in order, under the rules of the House, the President's proposal.

So we are going to have an open and honest debate next week. We are going to have debate on Medicare as a free-standing bill.

Ms. WOOLSEY. Mr. Speaker, will the gentleman yield?

Mr. RIGGS. Let me finish my point.

We will be able to have recorded votes on any competing proposals to our plan. So it is not really true to say that—certainly it is not true to say that this subject has not been thoroughly debated on Capitol Hill. We have had 30 hearings in the House since this session of Congress began back in January; six over in the Senate, the Committee on Commerce alone has had a dozen hearings and heard from almost 100 witnesses and taken hours and hours of testimony. So I think we are well prepared going into this debate.

Mr. FARR. Mr. Speaker, would the gentleman yield?

Mr. RIGGS. Well, I have to yield back to the gentleman so he can yield to others.

But I think we are well prepared going into this debate next week. And again I join my colleague in saying, Where are my colleagues' plan? Let us get it out there on the table so we can look at it and we can seriously consider it in the context of preserving and strengthening Medicare.

Mr. WELDON of Pennsylvania. I have to limit our time now because I do have to do at least 15 minutes on what I came here for. So if my colleagues will stick around, I will yield to each of them to make a closing comment, in fairness.

I will start with my good friend, Ms. PELOSI.

Ms. PELOSI. Mr. WELDON, I want to make the point that when we talk about the fact that there have been all these hearings on the Republican Medicare proposals, they have not been on the proposal that is on the table right now. As we all know, it is congressional procedure to air the legislation that we are going to vote on.

Have we talked in concept about Medicare and about changes in Medicare that might be advisable? Certainly. But do we know the particulars of the substitute plan that was placed on the table Monday night by Mr. ARCHER? Most of us do not. That is the plan the American people should have a period of public comment on. Maybe they will like it. Why be afraid of it?

Mr. WELDON of Pennsylvania. Mr. Speaker, reclaiming my time, the gentlewoman makes a point. This plan is available for anyone who has access to Internet, or, if they call my office, I will send them a copy.

I agree that Members should have ample opportunity to vote. I can recall being here my first session of Congress at 2:30 in the morning when Jim Wright was in the Chair and they brought out a 1,200-page document, put it on the desk, and said we have to vote on it tonight. We didn't have days, hours or minutes. It was the continuing resolution that we were being forced to vote on that none of us had seen.

This did not just deal with Medicare. It was the blueprint for the entire country's fiscal process for the next fiscal year. We did not have minutes to consider it.

Unfortunately, part of the practice of this institution is that we get bills like that. In this case we have it. I have had town meetings, I have interacted with my people. I know the parameters of this. There is a chance to amend it. We will all have an opportunity on the floor to present a viable alternative, and at that point in time we want to hear what your alternative does.

We want to hear it. I have heard tonight that none of my colleagues on that side support the President's proposed plan because of the level of controls on increases, so I will be interested to know what their plan is.

I now yield to my colleague from California, Mr. FARR.

Mr. FARR. I appreciate that, Mr. WELDON. The gentleman mentioned he was mayor of a city, and I think the point to debate here is that America deserves the opportunity to know what the law is going to be. Your city could not adopt a city ordinance the way we are adopting the Medicare plan in America, because your city would require that the plan be published in the newspaper; that there be a public hearing scheduled on the very text of the ordinance being considered.

That is what is the problem with this system. We have not been able to see that in this massive bill, and I am really surprised, and appreciate your concern about the procedure, and I would

hope in the leadership the gentleman would bring about a law like we have in California that says legislators cannot hear a bill unless it has been in print for 30 days. Cannot even hear it.

Mr. WELDON of Pennsylvania. Mr. Speaker, reclaiming my time. How many terms has the gentleman been here, Mr. FARR?

Mr. FARR. For one term.

Mr. WELDON of Pennsylvania. One term. The gentleman has so much eloquence, I thought he had been here for more than one term.

Let me just say that, unfortunately, in the 9 years I have been here, in this session, I have had more chance to look at legislation than any period of time in my history. We have been given bills that do not even go through our committees in the past that we had to vote on on the floor.

I agree, granted, we should have more time, but it is not like we have not been discussing this issue.

Mr. FARR. We have discussed the issue, but we have to look at the law. We are lawmakers. Anybody can go out and discuss the issue. That is an academic exercise.

Mr. WELDON of Pennsylvania. We would like to see your plan. When will we get that?

Mr. FARR. My point is, we have not even had a hearing on that plan.

Mr. WELDON of Pennsylvania. Well, when will we get your plan? When will we get yours to look at?

Mr. FARR. Well, will there be a hearing on it?

Mr. WELDON of Pennsylvania. I will have a hearing. When will my colleagues give us a plan?

Mr. FARR. We will give the gentleman a plan as soon as he schedules that hearing.

Mr. WELDON of Pennsylvania. No. Members are complaining about our not providing a chance to let them look at this, but when are you going to give us your plan to look at to tear apart like they are tearing ours apart?

Ms. WOOLSEY. Mr. Speaker, will the gentleman yield?

Mr. WELDON of Pennsylvania. Give us a date certain. When will my colleagues give us your plan?

Ms. WOOLSEY. We have a plan. Our plan is 30 years old, Mr. WELDON. It is called Medicare.

Mr. WELDON of Pennsylvania. So my colleagues are not going to reform it at all. They do not buy this?

□ 2215

Does the gentlewoman buy this or not?

Ms. WOOLSEY. It is not acceptable to bring the issue of something so important to every senior and every family in this country to the House floor for debate. We have not had hearings.

I was a member of a city council. On that city council we talked about sidewalk repairs to a much greater extent.

Mr. WELDON of Pennsylvania. Reclaiming my time, when do we get your plan to save Medicare?

Ms. WOOLSEY. Our plan is Medicare. Mr. WELDON of Pennsylvania. When will we get your plan?

Ms. WOOLSEY. When we can have a bipartisan debate on what needs to happen in order to fix what is wrong.

Mr. WELDON of Pennsylvania. Mr. Speaker, I think I have had enough of this issue. I think the facts are what they are. Anyone watching this who cannot see what this is all about is just not paying attention.

This is not about a bipartisan debate. It is about one party coming up with a plan, maybe it is not perfect, but putting it out there for people to look at, and the other party walking away and saying, we do not even support our President because the plan he has we cannot support. Even though we said initially the President had a plan, we do not want to embrace that because you do not want to make a tough decision. You want to have your cake and you want to eat it, too. You cannot do it anymore. That game is over.

We are going to move on.

I would just say in closing, I appreciate the emotion displayed by myself and other Members. I respect everyone who was here tonight. I would like to continue this. I will come back again. If we get time, we can have a good, honest split-the-time debate. I will come back.

The gentleman from California, Mr. RIGGS, will you come back as well?

Mr. RIGGS Absolutely.

Mr. WELDON of Pennsylvania. So if we get the time tomorrow night, I will be here.

FIRE PREVENTION WEEK

Let me move on to a topic that I originally wanted to address that is very near and dear to me because it is the reason I got involved in public service in the first place. And that is the emergency responders of this country.

Before being mayor of my hometown I was a local fire chief in a volunteer company and director of fire training for a county of 560,000 people. I literally grew up working with those people who respond to our disasters.

The reason why I wanted to take out this special order tonight is that this week is Fire Prevention Week. It is a week where we want to raise the awareness of one of the Nation's most serious problems. That problem is the loss of life caused by fire and disaster throughout this country.

We tend to focus in America on incidents involving war and loss of life from plagues and other illnesses, and certainly that is critical and an important priority of our society. But, Mr. Speaker, we fail to look at the fact that our Nation has the worst record of any industrialized nation in the world when it comes to fires and natural and man-made disasters.

On average, 6,000 people a year die from fires primarily in one- and two-family dwellings. In fact, according to the Safe Kids Campaign, which is a national group focusing on protective

measures for our children, almost 1,000 children each year are killed from fires, primarily residential fires. We in this country do not take the issue seriously unless it is the result of a major disaster, like we saw with the World Trade Center or the Oklahoma City bombing or the wildlands fires out West or a flood like we had in the Midwest or down South. We need to understand the importance of raising the awareness of our children and our families every day throughout the year.

When I first came to Congress 9 years ago, I saw a void in terms of awareness of the people who were out there protecting our communities. And there are a million and a half of them Eighty percent of them are volunteer; 20 percent of them are paid.

I saw a void in understanding on the point of our public officials that these people are really America's number one domestic defenders. They are the people who respond to every disaster we have, not just the fires in our homes, not just the hazmat incidents, the bombings like we saw in New York, the wildlands fires, the hurricanes such as in Florida, the tornadoes we saw in the Midwest, the floods and the earthquakes. In every one of those instances, year after year, these emergency responders come out and give of themselves to protect our people and our communities.

Mr. Speaker, this is one time during the year when we can recognize the work of these selfless heroes. In fact, at the end of this week, we will have the annual fallen firefighters memorial at Emmitsburg, the site of the National Fire Academy for this country. At that site we will recognize those individuals who gave their life during the last year in protecting the American people.

Mr. Speaker, what is so outrageous is that each year we lose approximately 100 men and women all across America, some paid, many of them volunteers. These individuals selflessly give of themselves to protect their communities and each year approximately 100 of them make the supreme sacrifice.

On this occasion, this weekend, as we do every year, we will pay tribute to their families and their loved ones. I think the best way we can pay tribute to these unsung heroes is to acknowledge the real problem that America has, the need to take care of our children, to educate them on what to do if they are in an emergency situation, the need to deal with our seniors, many of whom are confined and live alone and do not have adequate alarm systems or do not have the adequate ability to protect themselves if an incident occurs in their house and the ability to teach our families how they need to be able to be prepared to deal with emergencies, and that is what this week is about.

Yesterday, the International Association of Firefighters, the organization of paid firefighters nationally, brought to Washington a group of young children and individuals who had suffered burns

in real instances around the country. What a tragedy it was and what a tragedy it is to see someone who suffers burns from an incident in their home or in their place of work.

These kids came down here to remind us that we have an obligation every day of the year to try to heighten the awareness of young kids as to how they can prevent burns from occurring in the home, in the workplace, in the school or other places where our families assemble.

I commend the firefighters associations for bringing those kids here and for Senator DOLE for speaking to them to remind them that we do care and that we are going to continue to work on funding for burn foundations across the country and for educational programs like those provided by the National Fire Protection Association and the International Association of Firefighters to protect our kids, especially those that are done in cooperation with the national Safe Kids Campaign.

Today over across the street, we had, along with the Congressional Fire Services Institute, a 2-hour luncheon session for Members of Congress and their staffs where we taught them how to use portable fire extinguishers. Some say, why is that necessary? My first term in Congress, we had a fire in the Speaker's suite that burned the entire suite and could have jeopardized life in that particular building, but because of aggressive action by some staffers and because of the quick response of the D.C. Fire Department, the fire was extinguished.

We want every staffer in our buildings to know that they should understand how to respond to an emergency, how to use a portable extinguisher. And along that line, we have also done CPR classes where Members of Congress and staffers can learn the basic techniques of CPR and hopefully spread that word back in their districts.

Tomorrow we will have a program at the Capitol Hill Day Care Center where we will talk to young children who are there every day about fire protection, life safety and about some of the basic lessons that they should be learning, like how to dial 911 when an emergency call is needed or how to drop and roll if in fact the child's clothing should somehow catch on fire or one of the other things that can happen to a kid in the home that they need to understand they can take action on themselves.

On Friday, we will have a session with Members of Congress on national legislation looking at the whole issue of disasters. A year ago, over a year ago, I petitioned Speaker Tom Foley to convene a bipartisan task force of Members of this body to focus on the issue of natural and man-made disasters, partly because I felt we were not totally prepared, partly because of the frustration that I hear every day from the emergency responders across the country, and partly because every time we have a disaster this Congress is

asked to come in and allocate billions and billions of dollars that we do not have to pay people primarily in property areas where they could have bought insurance, either flood insurance, earthquake insurance or fire insurance.

This legislation that we are going to advocate and highlight this Friday in fact focuses on a national system to not just take the burden off the taxpayers but to establish a reinsurance fund through the private insurance companies to pay for disasters, but also to provide an incentive for local towns and counties to adequately preplan their emergencies, to make sure those building codes are up to date and enforced, to make sure there are adequate emergency plans in place in each community and to make sure the emergency responders are properly trained and equipped.

So, Mr. Speaker, all week long we will have a series of activities in Washington focusing on the ultimate objective of reducing the loss of life in this country and the damage to property from the perils of fire and other disasters. But I think it is more important than that in terms of the issue not just of educating the citizens of this country but in recognizing those heroes that we take for granted too much in this country.

I have had the pleasure, over the last 9 years, of traveling 49 of the 50 States and to work and speak to individual and State fire service groups in each one of those States. Those brave individuals in each of those 49 States are the same. They are selfless people, unselfish people who care about their neighborhoods, care about their communities. They are Republicans and Democrats, and they are there doing a service in many cases with no compensation as volunteers.

This is a time and this is a week for us to acknowledge them, to pay tribute to their work, to thank them for being the real heroes of this country, that we can look up to and pay our respects to, to pat them on the back for a job well done, to stop by the local emergency response station and let them know we appreciate their work, to take our kids over and help sensitize them to the kinds of things they should understand in case an emergency occurs in their home. This is a week where we can pay tribute to these people.

As I traveled around the country and interacted with these folks, one of the things I heard in my early time in Congress was they just were not getting the response from the Congress that they felt was necessary. We took that notion and 8 years ago, 7 years ago formed the Congressional Fire and Emergency Services Caucus. That caucus, Mr. Speaker, quickly became the largest caucus in the Congress and remains the largest caucus in the Congress with over 400 Members, Republicans and Democrats who laid down their partisan differences and who come together to say, we together can

support these brave men and women and give them the kinds of resources they need.

Following the formation of that caucus, which has had successes in a number of legislative areas, ranging from increasing funds for training to passing legislation dealing with safe cigarettes to dealing with issues involving hazardous materials, putting an emphasis on FEMA, on urban search and rescue and all of the other issues that confront us every day, we also formed a congressional institute, and that institute works as the educational arm of the Congress in sensitizing us to the real priorities that emergency responders have every day.

In talking to these emergency responders nationwide, the one message that I keep repeating to them that is so important is that they have to let public officials at all levels know who they really are. They are not just the people who respond to our disasters. They are not just the firefighters. In every one of the towns where we have emergency response organizations, and Mr. Speaker, there are 32,000 organized emergency response departments in this country, in every one of them, the local fire and EMS department is the location where they hold the town meetings. It is the hall where the young couple holds its wedding reception. It is the organization that gets called when there is a child that is lost and they have got to organize a search party. It is the group of people that you call when the cellar is flooded and you have to pump it out. It is the group of people who organize the July 4th parades and Memorial Day celebrations, Christmases for kids that have special needs and all of other things that make our communities in America so vibrant and strong.

And so during this week, as we recognize and celebrate the need to educate the people of this country on how to protect themselves from the ravages of fire and other disasters, let us especially pay tribute to those brave men and women, 1.5 million of them in 32,000 departments across America who today are responding to every type of disaster that the mind can imagine. Let us thank them for their efforts.

Mr. Speaker, as further effort this week to encourage Members to get involved locally in these issues, we will be distributing this week some of the most important devices that Members can take and sell back home in terms of educating their own citizens on how to prevent loss of life and property damage.

□ 2230

The First Alert Company is providing smoke detectors for every Member of the House and the Senate which they can use as an example of what should be done in every home in this country, and that is placing a low-cost, in some cases, \$5 or \$6 smoke detector in a home that can alert families there is, in fact, a problem.

I would encourage all of our colleagues, Mr. Speaker, to take these detectors, which they are getting for free and to use them as examples of simple things that can be done by families, and if families, in fact, cannot afford to buy smoke detectors, let us know where they are so that we can work with the groups that are providing them nationally. In fact, both the International Association of Fire Chiefs and the First Alert Company have gone time and again to provide free smoke detectors and free batteries to many of our urban areas, especially areas where we have high incidences of poverty, coupled with incidences of arson and fire so we can protect those people who do not have the financial resources to buy this equipment.

These are simple tools, but perhaps one of the most important tools in protecting lives and especially children in terms of incendiary fires and situations that would occur that would threaten the lives of our youngsters throughout this country tonight.

In closing, let me say I took this special order out in hopes I could spend an hour talking about many of the programs in place today and many of the actions that are being done both in this Congress and throughout America, and let me say this issue is about as strong a bipartisan effort as I can think of. The Democrats who are involved in this are leading the way as equals with Republicans on these issues, and they have been supportive along the track all the way down the line even when some of our Republican administrations were not as sensitive to these concerns as they should have been.

I just wish we could take that spirit of bipartisanship that we use in dealing with fire and life safety issues instead of scaring people and use that same spirit to address some of these other concerns that we have in this Nation which cause us to polarize, split apart and just demean each other, call out partisan name-calling back and forth. If we could accomplish that, then perhaps we could really show the American people that we can solve the problems of this country and we can do it in a way that is bipartisan and that can give each party credit, because the ultimate goal is not to achieve a winning edge over the other party. The ultimate goal is to meet the needs of the American people.

GENERAL LEAVE

Mr. RIGGS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the subject of the special order offered by the gentleman from Pennsylvania [Mr. WELDON] on today.

The SPEAKER pro tempore (Mr. FOX Pennsylvania). Is there objection to the request of the gentleman from California?

There was no objection.

WARNING FROM THE MEDICARE TRUSTEES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. RIGGS] is recognized for 5 minutes.

Mr. RIGGS. Mr. Speaker, I just wanted to conclude the discussion that we have out here on the floor tonight. I thought it was a frank give-and-take, if you will pardon the pun, and I want to stress that I think it is important to have more discussion along these lines.

I join with my colleagues in assuring the concerns and chagrin of my colleague, the gentleman from Pennsylvania [Mr. WELDON], who just did a superb job, was very animated, I think, very correct in his remarks in speaking about his disgust at the tactics we have seen employed by the opposition party out here on the floor whenever we have attempted to honestly discuss the warning contained in the Medicare trustees' report back to April.

Each year the Medicare trustees issue a report on the status of the Medicare trust funds. This past April 3, the disclosed Medicare will soon be bankrupt and urged Congress to respond swiftly to this crisis. I think it is important for our colleagues and constituents to understand the Medicare trustees are a nonpartisan, impartial board that reports on the status of Medicare each year. The trustees consist, as we have pointed out, of four Clinton administration officials, the Treasury Secretary, Labor Secretary, Health and Human Services Secretary, and Social Security Commissioner, and two nonadministration officials who represent the public. In other words, a majority, four out of six of the members of the Medicare trustees board, are Clinton-appointed trustees.

The trustees warned that Medicare is headed toward bankruptcy. Their report said the Medicare hospital trust fund part A, which covers hospital services for seniors, will begin to experience "increasing annual deficits" in 1996 and will be depleted in 2002. In other words, Medicare starts to go bankrupt, starts to go into the red, next year and will be completely bankrupt in 7 years.

In addition, the cost of the Medicare Supplementary Insurance Program, Medicare part B, which pays doctors' bills, has grown by 53 percent over the past 5 years. The trustees again warned, under the current system balancing the Medicare hospital trust fund for the next 25 years would require tax increases or a reduction in benefits.

The trustees' report actually stated, "Either outlays would have to be reduced by 30 percent, which would lead obviously to health care rationing for Medicare beneficiaries, or income increase by 44 percent or some combination thereof."

Mr. Speaker, as you well know, we have ruled out those two alternatives of health care rationing or a further increase in payroll taxes to top of the

payroll taxes of the 1970's and 1980's. But we have responded to the Medicare trustees' urging to act quickly to address Medicare's problems.

So we hope that we can again have an honest debate. I would say to my colleagues on the other side of the aisle, using your logic, since President Clinton has finally come to the table, he has finally joined the debate, he too has proposed restraining the rate of growth in the Medicare Program and providing middle-class tax relief, by their own logic, President Clinton is proposing to, quote unquote, cut Medicare, in order to pay for a middle-class tax break. We know that is not true.

We know the scare tactics are ultimately not going to succeed with the American people. I am just concerned and disappointed that Congress and the Democrats have decided to spend all of their time and energy attacking the Medicare Preservation Act instead of joint us in saving Medicare. Their tactics distort our bill and what it would mean to senior citizens, demonstrating again why Americans are so upset with Washington, DC. The tactics are politics as usual, and it is politics at its worst, so we have already brought out tonight our bill increases Medicare spending in terms of the national average from \$4,800 per beneficiary today to \$6,700 per beneficiary in just 7 years.

The figures, again, in California are higher, \$5,000 today to roughly \$8,000 in approximately just 7 years.

Our bill expands choices to seniors. It does not increase deductibles or copayments, and the premium rate in Medicare part B stays exactly the same as the current rate. Our proposal saves Medicare from bankruptcy through the next generation, not just the next election.

Americans, Mr. Speaker, of every age are tired of the excuses and the 30-second ads. They want Medicare saved. They know that in their hearts it is the right thing to do, and they know we must do it, and that is exactly what our proposal, which we will be debating and voting on this House floor next week, October 19, that is exactly what our proposal, the Medicare Preservation Act, does.

We have an obligation to lead as the governing party in the House of Representatives, and I urge our colleagues, stop the nonstop campaigning and join us in our efforts to save Medicare. You owe that to America's seniors.

TRIBUTE TO FIREFIGHTERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Ms. WOOLSEY] is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, if you want to hear about some brave firefighters, make that 2,164 extremely brave firefighters, talk to the people I represent in West Marin, CA. You see, over the past week, at least 45 homes and over 12,000 acres of Point Reyes National Seashore in Marin County,

CA, have been destroyed by tragic wildfire, a fire caused by an irresponsible individual with an illegal campfire and in a non-campground.

I flew over the disaster area during the initial stages of the fire last week, and I can tell you that I have never seen anything so mighty and devastating and so tragic in my entire life. But, Mr. Speaker, the damage and injuries would have been far worse were it not for the incredible courage of firefighters from throughout the San Francisco Bay area and California, men and women who put their lives at risk to protect one of our Nation's greatest national treasures, the Point Reyes national seashore and the town of Inverness, CA.

Special praise goes to the Department of the Interior, the California department of forestry and fire protection, and the Marin County fire department. These three agencies coordinated an unprecedented fire fighting effort the likes of which you have never seen. In all, 2,164 firefighters representing 40 agencies participated in this massive effort.

In the effort to thank and honor them, I would like to submit a list of those agencies for the RECORD.

The list referred to follows:

AGENCIES THAT ASSISTED IN THE MOUNT VISION FIRE

National Park Service, Point Reyes National Seashore, Pt. Reyes.
California Department of Forestry, Santa Rosa.
Novato Fire District, Novato.
Dixon County Fire Protection District, Dixon.
Marin County Fire, San Rafael.
Vacaville County Fire Protection District, Vacaville.
Napa County Fire Department, Napa.
US Forest Service, San Francisco.
Suisun City Fire Department, Suisun.
Larkspur Fire Department, Larkspur.
Redwood Valley-Capella Fire Protection District, Redwood Valley.
San Mateo County Fire Department, San Mateo.
Ross Department of Police Services, Ross.
Oakland Fire Department, Oakland.
California Highway Patrol, Corte Madera.
California Department of Corrections, Santa Rosa.
Tiburon Fire District, Tiburon.
Corte Madera Fire Department, Corte Madera.
Salvation Army, San Rafael.
Kentfield Fire Department, Kentfield.
Department of Youth Authority, Sacramento.
San Rafael Fire Department, San Rafael.

Mr. Speaker, by air and land, these men and women worked around the clock with only a few hours' sleep. They slept on the ground in disposable paper sleeping bags. Thanks to their tireless efforts, 80 percent of the national park remains untouched, untouched by the fires, and Mr. Speaker, there were no, I repeat no, major injuries or loss of life.

Just to give you a hint of their selflessness, one resident whose home remains standing amid several others that were burned to the ground, returned to his home to find a note in his

kitchen from the Tiburon fire engine company No. 12. The note said that the firefighters had fought to save the house from the surrounding flames and that they had been successful, but they wanted to thank the homeowner because afterwards they had come in and had soda and crackers. As the resident said, when he returned home, no amount of soda and crackers will ever be enough to repay these firefighters for their heroic actions. In fact, he said that he was the one that should be thanking the firefighters, not the other way around.

I assure you, Mr. Speaker, similar stories of firefighters going beyond their call of duty to assist victims and protect homes and the park can be found throughout West Marin.

Mr. Speaker, as we celebrate National Fire Prevention Week, let us salute our Nation's firefighters. Like the constituent that I told you about, we are all forever indebted to these courageous men and women, the true heroes of the United States of America.

Mr. HOYER. Mr. Speaker, let me first thank the gentleman from Pennsylvania [Mr. WELDON] for organizing this special order in recognition of Fire Prevention Week.

I would also like to commend the chairman of the bipartisan Fire Caucus, Mr. BOEHLERT, for his hard work and commitment to the fire service. The over 340 Members of this body who are in the Fire Caucus, are well served by such an able and effective chairman.

Mr. Speaker, most Americans recognize that the United States has the finest fire protection in the world.

Clearly, we have made valiant strides in fire prevention and safety since the very sobering report, *America Burning*, in 1973.

Firefighter deaths in the line of duty, as well as civilian fatalities, are on the decline.

Organizations such as the National Fire Protection Association who are sponsoring Fire Prevention Week have been integral in fire education and the promotion of safety and prevention.

The U.S. Fire Administration, located in my home State of Maryland, provides the backbone of our Nation's fire safety and protection services.

This administration also trains hundreds of firefighters each year and provides the very best in fire data and information.

Mr. Speaker, although we have seen these dramatic improvements in the number of fire-related fatalities in the last 20 years, the United States still lags behind many other industrialized nations in fire safety.

Last year, 100 of our very best firefighters were killed in the line of duty. Additionally, over 4,000 civilians were killed as a result of structural, vehicle, and outdoor fires.

While we can celebrate our accomplishments in fire prevention and safety over the two decades, we must take very seriously the challenge that lies ahead.

Mr. Speaker, I believe this challenge is twofold.

First, we must recognize the tremendous public service provided by America's firefighters.

Today, there are just over one million firefighters operating out of more than 30,000 departments nationwide.

Their dedication and service allow all Americans to rest a little easier at night and feel confident that if, in the unfortunate event that there is a fire, their lives and property will be protected by an able and dedicated fire service.

These firefighters should be all of our heroes as they work exhausting shifts and take on the greatest physical and mental challenges.

I have introduced a bill along with the chairman of the Fire Caucus, Mr. BOEHLERT, which would seek to correct one of the greatest inequities in the Federal Government pay system.

Every day over 10,000 Federal firefighters around the country put their lives on the line to protect the lives and property of the American people. Under the present pay system, Federal firefighters work over 25 percent more hours per week, yet earn nearly 44 percent less per hour than the average municipal firefighter.

Simply put, I have introduced this legislation to correct this pay inequity by bringing Federal firefighters under the same pay system as all Federal employees. Although the bill will not fully close the gap, it will compensate Federal firefighters at a level closer to that of municipal firefighters.

Where we can, we must also continue to ensure that all fire fighters, volunteer, municipal, and Federal receive all of the benefits and rights that can and should be afforded to them so that we can continue to encourage the very best in America to join the firefighter ranks.

Mr. Speaker, throughout the country, whenever there is an emergency, a fire, or other type of disaster, firefighters are the first to respond. They don't simply put out fires. They provide moral support and are active and responsible members of our communities.

I rise with great admiration and appreciation for the service and dedication of firefighters throughout the United States.

Second and equally important, she must work toward a day when all Americans are educated about fire prevention and specific steps people can take to reduce fire hazards in the home and work place. The role of the U.S. Fire Administration along with States and local fire officials is crucial to this effort.

To address this issue, I have introduced a bill, H.R. 771, with Congressmen WELDON and BOEHLERT, which seeks to create a grant program, administered by the USFA, which would provide moneys to individual States and localities for the purposes of fire education and prevention.

Given that each State has different fire and safety issues and concerns, this bill will allow the USFA to focus its resources appropriately on each of the different needs.

Mr. Speaker, Let me be clear. I do not believe that the Fire Safety and Education Act of 1995 provides the entire answer to our fire prevention concerns. There must be a partnership be-

tween fire departments and organizations and the citizens of each community throughout America. What we can do is help to empower the American people to learn how to prevent fires from occurring and take greater responsibility for their own safety.

Teamwork is the key to continuing our efforts in reducing fire-related fatalities and damages.

This week is an important step in focusing attention on the successes of the past 20 years, but also the work that lies ahead. Whether through legislation on the Federal or State level, through increased training of our firefighters, and through education initiatives on the local levels, we must continue to focus on fire protection and safety.

Fire Prevention Week is a very good opportunity to focus on the fire service and these issues and I thank the gentleman from Pennsylvania for arranging for this special order.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. TEJEDA (at the request of Mr. GEPHARDT), for today and the balance of the week, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. GEJDENSON) to revise and extend their remarks and include extraneous material:)

Mr. SKAGGS, for 5 minutes, today
Ms. JACKSON-LEE, for 5 minutes, today.

Mr. WISE, for 5 minutes, today.
Ms. DELAURO, for 5 minutes, today.
Mr. GEJDENSON, for 5 minutes, today.
Mr. BEVILL, for 5 minutes, today.

(The following Members (at the request of Mr. DUNCAN) to revise and extend their remarks and include extraneous material:)

Mr. HANSEN, for 5 minutes, today.
Mr. JONES, for 5 minutes, on October 12.

Mr. KIM, for 5 minutes each day, today and on October 12.

Mr. BURTON of Indiana, for 5 minutes each day, on October 12 and 13.

Mr. BRYANT of Tennessee, for 5 minutes, today.

Mrs. SMITH of Washington, for 5 minutes, on October 12.

Mr. SMITH of Michigan, for 5 minutes each day, on October 12 and 13.

Mr. MCINNIS, for 5 minutes, today.

Mrs. JOHNSON of Connecticut, for 5 minutes, today.

Mr. SHAYS, for 5 minutes, today.

Mr. FRANKS of Connecticut, for 5 minutes, today.

Mr. RAMSTAD, for 5 minutes, today.

Mr. DUNCAN, for 5 minutes, today.

(The following Member (at his own request) and to include extraneous matter:)

Mr. RIGGS, for 5 minutes, today.

(The following Member (at her own request) and to include extraneous matter:)

Ms. WOOLSEY, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. GEJDENSON) and to include extraneous matter:)

Mr. STOKES.
Mr. KENNEDY of Rhode Island.
Mr. HAMILTON in two instances.
Mr. HOLDEN in two instances.
Mr. LANTOS.
Mr. ORTON.
Mr. STARK.
Mr. WAXMAN.
Mr. CLAY.
Mr. DIXON.
Mr. FARR.
Mr. FOGLIETTA in two instances.
Mr. WARD in two instances.
Mr. MARTINEZ.
Mr. EDWARDS.
Mr. ANDREWS in two instances.
Ms. JACKSON-LEE.
Mr. CARDIN.
Mr. FAZIO of California.
Mr. FROST.
Mrs. SCHROEDER.
Mr. VENTO.
Mr. POSHARD in three instances.
Ms. KAPTUR.
Mr. LAFALCE.

(The following Members (at the request of Mr. DUNCAN) and to include extraneous matter:)

Mr. WALKER.
Mr. MCDADE.
Mr. TALENT.
Mr. GILMAN in two instances.
Mr. YOUNG of Florida.
Mr. RADANOVICH.
Mrs. SMITH of Washington.
Mr. BURTON.
Mr. SMITH of Texas.
Mr. HASTERT.
Mr. HANSEN.
Mr. STUMP.
Mr. PORTER.
Mr. WATTS.
Mr. HAYWORTH.
Mr. KING.
Mr. FORBES.
Mr. SPENCE.
Mr. ZIMMER.

(The following Members (at the request of Ms. WOOLSEY) and to include extraneous matter:)

Mrs. FOWLER.
Mr. DELLUMS.
Mr. WELLER.
Mr. THOMPSON.
Mr. MCCOLLUM.
Mr. KIM.
Mr. FOLEY.
Mr. YOUNG of Florida.
Mr. ACKERMAN.

ADJOURNMENT

Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 43 minutes p.m.), the House adjourned until tomorrow, Thursday, October 12, 1995, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1501. A letter from the Chairman, Federal Financial Institutions Examination Council, transmitting the Council's report on procedures to improve the identification of money laundering schemes involving depository institutions, pursuant to Public Law 103-325, section 404(c) (108 Stat. 2246); to the Committee on Banking and Financial Services.

1502. A letter from the Secretary of Labor, transmitting the Department's annual report to Congress on the fiscal year 1993 program operations of the Office of Workers' Compensation Programs [OWCP], the administration of the Black Lung Benefits Act [BLBA], the Longshore and Harbor Workers' Compensation Act [LHWCA], and the Federal Employees' Compensation Act for the period October 1, 1993, through September 30, 1994; also a report on an annual audit of the LHWCA special fund accounts as required by section 44(j) of LHWCA; to the Committee on Economic and Educational Opportunities.

1503. A letter from the Secretary of Health and Human Services, transmitting the Department's report to Congress on out-of-wedlock childbearing, pursuant to Public Law 103-322, section 320907 (108 Stat. 2126); to the Committee on Commerce.

1504. A letter from the Director, Defense Security Assistance Agency, transmitting notification concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance [LOA] to Kuwait for defense articles and services (Transmittal No. 96-01), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

1505. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 95-50: Suspending Restrictions on United States Relations with the Palestine Liberation Organization, pursuant to Public Law 103-236, section 583(b)(2) (108 Stat. 489); to the Committee on International Relations.

1506. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 95-44, authorizing the furnishing of assistance from the emergency refugee and migration assistance fund to meet the urgent needs of refugees in Rwanda and Burundi, pursuant to 22 U.S.C. 2601(c)(3); to the Committee on International Relations.

1507. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification for fiscal year 1996 that no U.N. agency or U.N. affiliated agency grants any official status, accreditation, or recognition to any organization which promotes and condones or seeks the legislation of pedophilia, or which includes as a subsidiary or member any such organization, pursuant to Public Law 103-236, section 102(g) (108 Stat. 389); to the Committee on International Relations.

1508. A letter from the Auditor, District of Columbia, transmitting a copy of a report entitled "Audit of the District of Columbia's Recycling Program," pursuant to D.C. Code, section 47-117(d); to the Committee on Government Reform and Oversight.

1509. A letter from the Director of Communications and Legislative Affairs, Equal Em-

ployment Opportunity Commission, transmitting a copy of the Agency's Federal sector report on EEO complaints and appeals for fiscal year 1993; also a copy of the EEOC's annual report on the employment of minorities, women, and people with disabilities in the Federal Government for fiscal year 1993; to the Committee on Government Reform and Oversight.

1510. A letter from the Director, Office of Management and Budget, transmitting OMB's estimate of the amount of discretionary new budget authority and outlays for the current year, if any, and the budget year provided by House Joint Resolution 108 and H.R. 1817, pursuant to Public Law 101-508, section 13101(a) (104 Stat. 1388-578); to the Committee on Government Reform and Oversight.

1511. A letter from the Director, Office of Management and Budget, transmitting the annual report on its 1995 Federal financial management status report and Government-wide 5-year financial management plan, pursuant to Public Law 101-576, section 301(a) (104 Stat. 2849); to the Committee on Government Reform and Oversight.

1512. A letter from the Executive Director of Government Affairs, Non-Commissioned Officers Associations of the United States of America, transmitting the annual report of the Non-Commissioned Officers Association of the United States of America containing the consolidated financial statements for the period December 31, 1994, and 1993, pursuant to Public Law 100-281, section 13 (100 Stat. 75); to the Committee on the Judiciary.

1513. A letter from the Chairman, U.S. International Trade Commission, transmitting the 10th annual report on the impact of the Caribbean Basin Economic Recovery Act on U.S. industries and consumers, pursuant to 19 U.S.C. 2704; to the Committee on Ways and Means.

1514. A letter from the Chairman, U.S. International Trade Commission, transmitting the second annual report on the impact of the Andean Trade Preference Act on U.S. industries and consumers and on drug crop eradication and crop substitution, pursuant to 19 U.S.C. 3204; to the Committee on Ways and Means.

1515. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation for the conservation title of the 1995 farm bill; jointly, to the Committees on Agriculture, Transportation and Infrastructure, and Resources.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MOORHEAD: Committee on the Judiciary. H.R. 1506. A bill to amend title 17, United States Code, to provide an exclusive right to perform sound recordings publicly by means of digital transmissions, and for other purposes; with an amendment (Rept. 104-274). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. GILMAN (for himself, Mr. KING, Mr. SHAW, Mr. BERMAN, and Mr. FORBES):

H.R. 2458. A bill to impose sanctions on foreign persons exporting certain goods or technology that would enhance Iran's ability to extract, refine, store, process, or transport petroleum products or natural gas; to the Committee on International Relations, and in addition to the Committees on Ways and Means, Banking and Financial Services, Commerce, and Government Reform and Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KASICH:

H.R. 2459. A bill to amend the Congressional Budget Act of 1974 to extend and reduce the discretionary spending limits and to extend the pay-as-you-go requirements set forth in the Balanced Budget and Emergency Deficit Control Act of 1985; to the Committee on the Budget, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARTON of Texas:

H.R. 2460. A bill to amend the Community Services Block Grant Act to redefine the term "eligible entity"; to the Committee on Economic and Educational Opportunities.

By Mr. ENGLISH of Pennsylvania (for himself, Mr. HOUGHTON, Ms. MCKINNEY, Mr. BLUTE, Mr. LONGLEY, Mr. FILNER, Mr. WELLER, Mr. ACKERMAN, Mr. DAVIS, Mr. CHRYSLER, Mr. NEY, and Mr. ENSIGN):

H.R. 2461. A bill to amend the Internal Revenue Code of 1986 to repeal the inclusion in gross income of unemployment compensation; to the Committee on Ways and Means.

By Mr. ENGLISH of Pennsylvania (for himself, Mr. SOUDER, Mr. FOX, Mr. LOBIONDO, and Mr. ENSIGN):

H.R. 2462. A bill to eliminate automatic pay adjustments for Members of Congress; to the Committee on House Oversight, and in addition to the Committee on Government Reform and Oversight, for a period to be subsequently determined by the Speaker, in each case for the consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FROST:

H.R. 2463. A bill to provide for payments to individuals who were the subjects of radiation experiments conducted by the Federal Government; to the Committee on the Judiciary.

By Mr. HANSEN:

H.R. 2464. A bill to amend Public Law 103-93 to provide additional lands within the State of Utah for the Goshute Indian Reservation, and for other purposes; to the Committee on Resources.

H.R. 2465. A bill to establish 5-year terms for, and require the advice and consent of the Senate in the appointment of, the Director of the National Park Service, and for other purposes; to the Committee on Resources.

H.R. 2466. A bill to improve the process for land exchanges with the Forest Service and the Bureau of Land Management; to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTERT (for himself, Mr. PORTER, Mrs. COLLINS of Illinois, Mr. RUSH, and Mr. NORWOOD):

H.R. 2467. A bill to grant certain patent rights for certain nonsteroidal anti-inflammatory drugs for a 2-year period; to the Committee on the Judiciary, and in addition to the Committee on Commerce, for a period

to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LOBIONDO (for himself, Mr. ZIMMER, Mr. WELDON of Florida, Mrs. VUCANOVICH, Mr. HOSTETTLER, Mr. TAYLOR of North Carolina, Mr. HEFLEY, Mr. BARTON of Texas, Mr. LIVINGSTON, Mr. BLUTE, Mr. BOEHNER, Mr. CHRISTENSEN, Mr. FIELDS of Texas, Mr. FRELINGHUYSEN, Mr. SAXTON, Mr. GILCHREST, Mr. HASTERT, Mr. KLUG, Mr. LAUGHLIN, Mr. MYERS of Indiana, Mr. COX, Mr. MONTGOMERY, Mr. WELDON of Pennsylvania, Mr. SOUDER, Mr. WELLER, Mr. BRYANT of Tennessee, Mr. COLLINS of Georgia, Mr. OXLEY, Mr. GUTKNECHT, Mr. HEINEMAN, Mr. PETE GEREN of Texas, Mr. LATOURETTE, Mrs. CHENOWETH, Mrs. CUBIN, Mr. KING, Mr. NEY, Mr. RAMSTAD, Mr. ROYCE, Mr. STOCKMAN, Mr. WICKER, Mr. STEARNS, Mrs. MYRICK, Mr. HUTCHINSON, Mr. BEREUTER, and Mr. EHLERS):

H.R. 2468. A bill to reform the process under which Federal prisoners bring lawsuits relating to prison conditions and treatment; to the Committee on the Judiciary.

By Mr. STOCKMAN:

H.R. 2469. A bill to amend title II of the Social Security Act to permit an individual entitled to both old-age or disability insurance benefits and to widow's or widower's insurance benefits to receive both without reduction in the amount of the widow's or widower's insurance benefit by the amount of the old-age or disability insurance benefit; to the Committee on Ways and Means.

By Mr. STOCKMAN (for himself, Mr. FUNDERBURK, Mr. YOUNG of Alaska, Mrs. CHENOWETH, and Mr. HOSTETTLER):

H.R. 2470. A bill to restore the second amendment rights of all Americans; to the Committee on the Judiciary, and in addition to the Committees on Government Reform and Oversight, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TORKILDSEN (for himself and Mrs. FOWLER):

H.R. 2471. A bill to amend the Federal Election Campaign Act of 1971 to reduce the amount that a nonparty multicandidate political committee may contribute to a candidate in a congressional election, and for other purposes; to the Committee on House Oversight.

By Mr. YATES:

H. Con. Res. 106. Concurrent resolution permitting the use of the rotunda of the Capitol for a ceremony to commemorate the days of remembrance of victims of the Holocaust; to the Committee on House Oversight.

By Mr. HOYER:

H. Res. 236. Resolution electing Representative CHAKA FATTAH of Pennsylvania to the Committee on Economic and Educational Opportunities; considered and agreed to.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 65: Mr. MCHALE.
H.R. 103: Mr. POMEROY.
H.R. 218: Mr. HOKE.
H.R. 294: Mr. FROST.
H.R. 438: Mr. BLUTE.
H.R. 468: Mr. STUPAK.

H.R. 580: Mr. FRISA.

H.R. 727: Mr. JOHNSTON of Florida.

H.R. 784: Mr. HANCOCK, Mr. HAYWORTH, Mr. LARGENT, Mr. LATOURETTE, Mr. LIVINGSTON, Mr. SKEEN, and Mr. HORN.

H.R. 789: Mrs. CHENOWETH and Mr. BREWSTER.

H.R. 791: Mr. BLUTE.

H.R. 842: Mr. HOSTETTLER.

H.R. 1000: Mrs. MEEK of Florida, Mr. ROEMER, and Mr. WYDEN.

H.R. 1023: Mr. GUNDERSON, Mr. GENE GREEN of Texas, and Mr. WALSH.

H.R. 1047: Mr. STOCKMAN.

H.R. 1090: Mr. NADLER.

H.R. 1114: Mr. DOOLEY.

H.R. 1119: Mr. FOX and Mr. ROHRBACHER.

H.R. 1161: Mr. COBLE.

H.R. 1204: Mr. MARTINI.

H.R. 1222: Mr. ZIMMER, Mr. MEEHAN, and Mr. LUTHER.

H.R. 1386: Mr. ANDREWS, Mrs. THURMAN, and Mr. HOKE.

H.R. 1404: Mr. FOLEY, Ms. FURSE, Mr. BILBRAY, and Mr. LEVIN.

H.R. 1484: Mr. FOLEY and Mr. CARDIN.

H.R. 1496: Mr. PICKETT.

H.R. 1499: Mrs. MEYERS of Kansas, Ms. RIVERS, and Mr. BARRETT of Nebraska.

H.R. 1500: Mr. DEUTSCH, Mr. GEJDENSON, and Mr. GENE GREEN of Texas.

H.R. 1539: Mrs. MORELLA.

H.R. 1684: Mr. STARK, Mr. FILNER, and Mr. HEFLEY.

H.R. 1702: Mr. NADLER.

H.R. 1703: Mr. NADLER.

H.R. 1704: Mr. NADLER.

H.R. 1801: Mr. MARTINI and Mr. TORKILDSEN.

H.R. 1803: Mr. ENSIGN.

H.R. 1810: Mr. LOBIONDO.

H.R. 1818: Mrs. CUBIN and GUTKNECHT.

H.R. 1856: Mr. ROSE, Mr. TORKILDSEN, Mr. STOCKMAN, Mr. SKEEN, Mrs. LOWEY, Mr. MICA, Mr. SMITH of Texas, Mrs. CUBIN, Mr. CHAMBLISS, Mr. SAWYER, Mr. KILDEE, and Mr. FRANKS of New Jersey.

H.R. 1920: Mr. GUTIERREZ, Mr. NADLER, Mr. MORAN, Mr. GENE GREEN of Texas, Mr. DOYLE, Mr. CONDIT, Mrs. MALONEY, and Ms. WOOLSEY.

H.R. 1930: Mr. FRANKS of New Jersey.

H.R. 1972: Mr. FROST, Mr. BARRETT of Nebraska, Mr. MCINNIS, Mr. SKEEN, Mr. FILNER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CALLAHAN, Mr. MINGE, and Mr. DUNCAN.

H.R. 2029: Mr. TAYLOR of North Carolina and Mr. BOEHLERT.

H.R. 2081: Mr. CRAPO.

H.R. 2137: Mr. BLILEY.

H.R. 2143: Mr. MENENDEZ and Mr. KLINK.

H.R. 2145: Mr. NEY.

H.R. 2199: Mr. THORNBERRY.

H.R. 2200: Mr. OXLEY, Mr. CHAMBLISS, Mr. SISISKY, Ms. RIVERS, Mr. BARTON of Texas, Mr. MANZULLO, Mr. PETERSON of Minnesota, Mrs. THURMAN, Mr. FOX, Mr. CARDIN, Mr. RAMSTAD, Mrs. CUBIN, Mr. NEUMANN, Mr. CRAPO, and Mr. PETERSON of Florida.

H.R. 2240: Mr. MORAN, Mr. OLVER, Mrs. MORELLA, Mr. FRANK of Massachusetts, Mr. SKAGGS, Mr. STARK, Mr. SMITH of New Jersey, and Mr. JEFFERSON.

H.R. 2265: Mrs. CLAYTON, Mr. GOODLATTE, and Mr. TANNER.

H.R. 2285: Mr. BEREUTER, Mr. BAKER of California, Mr. EMERSON, Ms. DUNN of Washington, Mr. FROST, and Mr. KING.

H.R. 2308: Mr. THORNBERRY.

H.R. 2328: Mr. FOX and Mr. EHLERS.

H.R. 2341: Mr. NETHERCUTT.

H.R. 2342: Mr. STENHOLM and Mr. HALL of Texas.

H.R. 2351: Mr. LOBIONDO and Mr. ENGLISH of Pennsylvania.

H.R. 2373: Mr. DICKEY.

H.R. 2374: Mrs. JOHNSON of Connecticut, Mr. ZIMMER, and Mr. HORN.

H.R. 2375: Mr. FAZIO of California and Mr. MATSUI.

H.R. 2402: Mr. CRAPO, Mrs. CHENOWETH, and Mr. HASTINGS of Washington.

H.R. 2414: Mr. HAMILTON, Mr. ROSE, and Mr. WARD.

H.R. 2417: Mr. ENGLISH of Pennsylvania, Mr. STEARNS, Mr. STOCKMAN, Mr. CRANE, Mr. BAKER of California, Mr. METCALF, Mr. STUMP, Mr. NETHERCUTT, Mr. KLECZKA, and Mr. LAHOOD.

H.R. 2429: Mr. BEILENSEN.

H. Con. Res. 80: Mr. LEWIS of Georgia, Mr. NADLER, Mr. PORTER, Mr. TORKILDSEN, Mr. BARRETT of Wisconsin, Mr. WATT of North Carolina, Mr. WAXMAN, Mrs. SCHROEDER, Ms. FURSE, and Mr. GANSKE.

H. Con. Res. 102: Mr. KLUG, Mr. DURBIN, Mrs. MORELLA, Ms. ROYBAL-ALLARD, and Mr. KILDEE.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 39

OFFERED BY: MR. FARR OF CALIFORNIA

AMENDMENT No. 1: Page 21, line 13, before the first semicolon insert the following: "and conservation and management measures necessary to minimize, to the extent prac-

ticable, adverse impacts on that habitat caused by fishing".

Page 23, line 21, strike "(15)" and insert "(14)".

Page 24, line 12, strike the semicolon and insert "; and".

Page 24, strike lines 13 through 17.

H.R. 2405

OFFERED BY: MR. SAXTON

AMENDMENT No. 25: Page 114, line 19, strike "(a) MARINE PREDICTION RESEARCH.—".

Page 115, strike lines 1 through 17.

Page 122, strike lines 10 through 21 (and redesignate the subsequent subsection accordingly).

H.R. 2405

OFFERED BY: MR. SAXTON

AMENDMENT No. 26: On page 122, line 5, strike "Science" and insert instead "Resources and the Committee on Science".

H.R. 2405

OFFERED BY: MR. SAXTON

AMENDMENT No. 27: On page 128, line 16, strike "Science" and insert instead "Resources and the Committee on Science".

H.R. 2405

OFFERED BY: MR. THORNBERRY

AMENDMENT No. 28: Page 109, after line 4, insert the following new subsection:

(h) NEXRAD Operational Availability and Reliability.—(1) The Secretary of Defense, in conjunction with the administrator of the

National Oceanic and Atmospheric Administration, shall take immediate steps to ensure the NEXRADs operated by the Department of Defense that provide primary detection coverage over a portion of their range function as fully committed, reliable elements of the national weather radar network, operating with the same standards, quality, and availability as the National Weather Service-operated NEXRAD's.

(2) NEXRADs operated by the Department of Defense that provide primary detection coverage over a portion of their range are to be considered as integral parts of the National Weather Radar Network.

H.R. 2405

OFFERED BY: MR. YOUNG OF ALASKA

AMENDMENT No. 29: On page 122, line 5, strike "Science" and insert instead "Resources and the Committee on Science".

H.R. 2405

OFFERED BY: MR. YOUNG OF ALASKA

AMENDMENT No. 30: On page 122, strike lines 11 through 13.

On page 122, line 14, strike "(B)" and insert instead "(1)".

H.R. 2405

OFFERED BY: MR. YOUNG OF ALASKA

AMENDMENT No. 31: On page 128, line 16, strike "Science" and insert instead "Resources and the Committee on Science".